

**EIGHTY-FOURTH GENERAL ASSEMBLY
2012 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

APRIL 19, 2012

**Senate Amendment to
HOUSE FILE 2422**

H-8486

1 Amend House File 2422, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, line 17, by striking <or owner>
4 2. Page 1, line 18, after <facility.> by inserting
5 <For purposes of this paragraph, the approval of
6 the administrator of the nursing facility cannot
7 be withheld on the basis of considerations that are
8 otherwise prohibited by state or federal law.>
9 3. Page 2, lines 13 and 14, by striking <or owner>
10 4. Page 2, line 14, after <facility.> by inserting
11 <For purposes of this subsection, the approval of the
12 administrator of the residential care facility cannot
13 be withheld on the basis of considerations that are
14 otherwise prohibited by state or federal law.>
15 5. By striking page 2, line 15, through page 4,
16 line 12, and inserting:
17 <Sec. _____. Section 229A.8A, subsection 5, Code
18 2011, is amended to read as follows:
19 5. ~~Committed~~ Except as provided in subsection 6A,
20 committed persons in the transitional release program
21 are not necessarily required to be segregated from
22 other persons.
23 Sec. _____. Section 229A.8A, Code 2011, is amended by
24 adding the following new subsection:
25 NEW SUBSECTION. 6A. Persons in the transitional
26 release program shall not be released to a health care
27 facility as defined in section 135C.1.
28 Sec. _____. Section 229A.9A, Code 2011, is amended by
29 adding the following new subsection:
30 NEW SUBSECTION. 3A. If a release with or without
31 supervision is ordered, the committed person shall not
32 be released to a health care facility as defined in
33 section 135C.1.>
34 6. Page 5, line 6, by striking <or owner>
35 7. Page 5, line 7, after <program.> by inserting
36 <For purposes of this subsection, the approval of
37 the manager of the assisted living program cannot
38 be withheld on the basis of considerations that are
39 otherwise prohibited by state or federal law.>
40 8. Page 5, by striking lines 8 through 10.
41 9. By striking page 5, line 19, through page 6,
42 line 19.
43 10. Page 8, line 9, after <appeals> by inserting <,
44 in conjunction with the department of human services,>
45 11. Page 8, line 31, by striking <deems> and
46 inserting <and the department of human services deem>
47 12. By striking page 8, line 32, through page 9,
48 line 4.
49 13. By striking page 9, line 5, through page 10,
50 line 12, and inserting:

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1 <3. The committee shall discuss and make
2 recommendations on options to create a new facility
3 or assist an existing facility to expand services
4 to provide care for elderly persons who have
5 previously been declared to be a sexually violent
6 predator pursuant to chapter 229A. The committee
7 shall identify the characteristics of a client
8 for such a facility, the need for such a facility,
9 options for creating a new facility to house such
10 clients, options for the expansion of an existing
11 facility to house such clients, options for using any
12 alternative facilities for such purposes, options for
13 a public-private partnership for such a facility,
14 options for using part of a mental health institute
15 to house such clients, options to qualify a facility
16 for Medicaid reimbursement, cost projections for any
17 recommendations, regulatory challenges, and other
18 information deemed relevant by the department of
19 inspections and appeals and the department of human
20 services. The committee shall also discuss and make
21 recommendations on the authority of nursing facilities,
22 residential care facilities, and assisted living
23 programs to transfer or discharge a resident or tenant
24 who is required to register as a sex offender pursuant
25 to chapter 692A.>

26 14. By striking page 10, line 16, through page 11,
27 line 11, and inserting:

28 <Sec. _____. RESIDENTS AND TENANTS -- DISCHARGE. The
29 department of inspections and appeals shall adopt rules
30 that provide that a nursing facility, residential care
31 facility, or assisted living program has the authority
32 to discharge a resident or tenant who is required to
33 register as a sex offender pursuant to chapter 692A
34 based on the person's status as a sex offender as
35 an endangerment to the safety of individuals in the
36 facility or program.

37 Sec. _____. EMERGENCY RULES. If specifically
38 authorized by a provision of this Act, the department
39 of inspections and appeals may adopt administrative
40 rules under section 17A.4, subsection 3, and section
41 17A.5, subsection 2, paragraph "b", to implement
42 the provisions and the rules shall become effective
43 immediately upon filing or on a later effective date
44 specified in the rules, unless the effective date is
45 delayed by the administrative rules review committee.
46 Any rules adopted in accordance with this section
47 shall not take effect before the rules are reviewed
48 by the administrative rules review committee. The
49 delay authority provided to the administrative rules
50 review committee under section 17A.4, subsection 7, and

1 section 17A.8, subsection 9, shall be applicable to a
2 delay imposed under this section, notwithstanding a
3 provision in those sections making them inapplicable
4 to section 17A.5, subsection 2, paragraph "b". Any
5 rules adopted in accordance with the provisions of this
6 section shall also be published as a notice of intended
7 action as provided in section 17A.4.>

8 15. Title page, by striking lines 1 through 4 and
9 inserting <An Act relating to the care and housing of
10 elderly sex offenders and sexually violent predators
11 and including effective date provisions.>

12 16. By renumbering as necessary.

RECEIVED FROM THE SENATE

HOUSE FILE 2449

H-8495

1 Amend House File 2449 as follows:

2 1. Page 7, after line 27 by inserting:

3 <DIVISION _____

4 ENERGY EFFICIENCY

5 Sec. _____. DEPARTMENT OF ADMINISTRATIVE SERVICES ----

6 ENERGY EFFICIENCY EFFORTS.

7 1. The department of administrative services shall
8 require, beginning July 1, 2012, that all passenger
9 cars purchased or leased by the state shall have a
10 United States environmental protection agency estimated
11 highway-mileage rating of at least thirty-five miles
12 per gallon.

13 2. The department of administrative services
14 shall report to the general assembly and governor by
15 November 15, 2012, regarding the feasibility of giving
16 preference to or requiring the purchase or lease of
17 electric and natural-gas powered vehicles with a United
18 States environmental protection agency estimated
19 highway-mileage rating of at least forty-five miles per
20 gallon.

21 3. Funds appropriated to a state agency for utility
22 expenses shall not be transferred or reallocated, and
23 any such unexpended funds at the end of a fiscal year
24 shall not revert to the general fund of the state but
25 shall be allocated to the Iowa energy bank revolving
26 loan fund, to be used exclusively to finance energy
27 improvements to state-owned properties.

28 4. The department of administrative services shall
29 require that the procurement of any product by a state
30 agency conform to energy star specifications current
31 at the time of contract or purchase if the product is
32 subject to energy star labeling.

33 5. The department of administrative services shall
34 provide for least-cost lighting of state buildings
35 and property under its control, and shall work with
36 other state departments and agencies responsible for
37 the energy costs of buildings and property under their
38 control to do the same, based on minimizing energy use
39 and the life-cycle costs of the energy technology.

40 6. The department of administrative services
41 shall establish a program with other state agencies
42 to replace or deploy battery chargers and other smart
43 power technology that turns off the power source to the
44 adapter or battery once the battery is charged or cuts
45 power to unused electrical devices.

46 Sec. _____. EFFECTIVE UPON ENACTMENT. This division
47 of this Act, being deemed of immediate importance,
48 takes effect upon enactment.

49 DIVISION _____

50 PERFORMANCE-BASED EFFICIENCY CONTRACTS

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1 Sec. _____. NEW SECTION. 8B.1 Legislative intent.
2 The general assembly finds that investment in
3 energy conservation measures by public facilities
4 can reduce the amount of energy and other resources
5 consumed by the facilities; reduce ongoing operational
6 costs; improve comfort, reliability, and the indoor
7 environment for employees and citizens; produce a
8 positive environmental impact; enhance revenues
9 generated by governmental units; and create local jobs,
10 producing both immediate and long-term cost savings
11 and other benefits. It is the policy of this state to
12 encourage state agencies, departments, and divisions;
13 public health facilities; public universities and
14 community colleges, school districts, and area
15 education agencies; and counties, municipalities,
16 and other political subdivisions to implement energy
17 conservation and facility improvement measures
18 that reduce energy, water, wastewater, or any other
19 utility or operating costs, and, when economically
20 feasible, build, operate, maintain, or renovate public
21 facilities and systems in a manner that will minimize
22 operational costs and maximize utility savings and
23 other efficiencies. It is additionally the policy of
24 this state to encourage reinvestment of the savings and
25 revenues resulting from energy conservation measures
26 into additional and continued energy conservation
27 efforts through performance-based efficiency contracts
28 and other measures deemed appropriate by a governmental
29 unit.

30 Sec. _____. NEW SECTION. 8B.2 Definitions.

31 As used in this chapter, unless the context
32 otherwise requires:

33 1. "Department" means the department of
34 administrative services.

35 2. "Energy conservation measure" or "facility
36 improvement measure" means a program, facility
37 alteration, equipment installation, remodeling of a
38 new or existing building, or technology upgrade, which
39 is designed to reduce energy, water, wastewater, or
40 other utility or operating costs, or enhance billable
41 revenue, including but not limited to the following:

42 a. Employee training and occupant behavior
43 modification programs.

44 b. Insulation of building structures and systems
45 within buildings.

46 c. Windows and window systems, roofs and
47 roofing materials, caulking or weather stripping,
48 installation or modification of doors, heat-absorbing
49 or heat-reflecting applications, or other modifications
50 to windows, doors, or the building envelope, that

- 1 reduce energy and operating costs.
- 2 d. Automated or computerized energy or facility
- 3 control systems.
- 4 e. Heating, ventilation, and air-conditioning
- 5 systems, including specialty systems serving food
- 6 service, laboratory, and other applications.
- 7 f. Lighting systems and fixtures, including
- 8 daylighting systems.
- 9 g. Energy recovery systems.
- 10 h. Systems that produce steam or forms of energy
- 11 such as heat in addition to electricity.
- 12 i. Renewable energy systems or other distributed
- 13 power generation systems.
- 14 j. Water and wastewater fixtures, appliances, and
- 15 equipment.
- 16 k. Improvements to water distribution, sewer, and
- 17 wastewater treatment facilities.
- 18 l. Landscaping measures that reduce watering
- 19 demands and capture and hold applied water and
- 20 rainfall.
- 21 m. Metering or related equipment or systems
- 22 that improve the accuracy or efficiency of billable
- 23 revenue-generating systems.
- 24 n. Automated, electronic, or remotely controlled
- 25 technologies, systems, or measures that reduce
- 26 operating costs.
- 27 o. Installation and modification of software-based
- 28 systems that reduce facility management or other
- 29 facility operating costs.
- 30 p. Programs to reduce energy costs through rate
- 31 adjustments, load shifting to reduce peak demand, or
- 32 use of alternative energy suppliers, including but not
- 33 limited to demand response programs, changes to more
- 34 favorable rate schedules, negotiation of lower rates
- 35 or new suppliers, or auditing of utility billing and
- 36 metering.
- 37 q. Energy information and control systems that
- 38 monitor consumption, redirect systems to optimal energy
- 39 sources, and manage energy-using equipment.
- 40 r. Any measure not otherwise described in this
- 41 chapter that is designed to produce utility consumption
- 42 or operational cost savings, revenue enhancements, or
- 43 similar efficiency gains to a governmental unit.
- 44 3. "Governmental unit" means any authority,
- 45 board, bureau, commission, department, agency, or
- 46 institution of a government agency, including but
- 47 not limited to any state agency, or any county,
- 48 city, district, municipal corporation, municipality,
- 49 municipal authority, political subdivision, school
- 50 district, educational institution, incorporated town,

1 township, other incorporated district, or other public
2 instrumentality which has the authority to contract for
3 the construction, reconstruction, alteration, or repair
4 of any public building or other public work or public
5 improvement.

6 4. "Performance-based efficiency contract" means a
7 contract between a governmental unit and a qualified
8 provider for the evaluation and recommendation of
9 energy conservation or facility improvement measures
10 and for implementation of one or more such measures.

11 5. "Qualified provider" means a person with a
12 record of documented performance-based efficiency
13 contract projects who is experienced in the design,
14 implementation, and installation of energy conservation
15 or facility-improvement measures; and has the
16 technical capabilities to verify that such measures
17 generate energy and operational cost savings or
18 enhanced revenues. A "qualified provider" provides
19 a governmental unit with the following information
20 and services in connection with a performance-based
21 efficiency contract:

- 22 a. Project design and specifications.
- 23 b. Construction and construction management.
- 24 c. Commissioning.
- 25 d. Ongoing services as required.
- 26 e. Measurement, verification, and guarantee
27 of savings from energy conservation or
28 facility-improvement measures.

29 Sec. _____. NEW SECTION. 8B.3 Selection of qualified
30 provider ---- award of performance-based contract ----
31 contracting procedures and provisions ---- funding.

32 1. A governmental unit may enter into a
33 performance-based efficiency contract with a
34 qualified provider in accordance with the provisions
35 of this chapter. The department shall issue a
36 request for proposals to screen and prequalify
37 prospective qualified providers wishing to enter
38 into performance-based efficiency contracts with
39 governmental units. The request for proposals shall
40 include but not be limited to qualified provider
41 documentation of provider expertise and credentials,
42 past experience with performance-based efficiency
43 contracts with governmental units, identification
44 of financial partners, if any, associated with
45 the qualified provider, and the ability to provide
46 and fulfill performance guarantees. Based on the
47 request for proposals, the department shall develop
48 and maintain a list of prequalified qualified
49 providers. A governmental unit seeking to enter into a
50 performance-based efficiency contract with a qualified

1 provider shall either select a qualified provider from
2 the list developed by the department, or shall limit
3 the issuance of a request for proposals to qualified
4 providers contained on the list.

5 2. A governmental unit may select a qualified
6 provider under the procedures specified in subsection
7 1 that best meets the needs of the governmental
8 unit in accordance with criteria established by the
9 governmental unit. After reviewing the qualifications
10 of one or more qualified providers, a governmental
11 unit may enter into a performance-based efficiency
12 contract with a qualified provider if it finds that
13 the amount the governmental unit would spend on the
14 energy conservation and facility-improvement measures
15 recommended in the proposal would not exceed the
16 amount of energy and operational cost savings or
17 revenue enhancements derived from the measures within a
18 twenty-year period from the date of installation.

19 3. A qualified provider to whom a performance-based
20 efficiency contract is awarded shall provide a one
21 hundred percent performance bond to the governmental
22 unit to assure the provider's faithful and complete
23 performance of the contract.

24 4. A performance-based efficiency contract
25 shall include a written guarantee by the qualified
26 provider that the savings and efficiency gains, in the
27 aggregate, will meet or exceed the cost of the energy
28 conservation or facility improvement measures to be
29 implemented under the contract. The qualified provider
30 shall be responsible, pursuant to the performance-based
31 efficiency contract, for measuring and verifying the
32 guaranteed savings and efficiency gains provided by the
33 implemented measures by using one of the measurement
34 and verification methodologies set forth in the
35 international performance measurement and verification
36 protocol. If, due to existing data limitations or the
37 nonconformance of specific project characteristics,
38 none of the methods listed in the international
39 performance measurement and verification protocol
40 is sufficient for measuring guaranteed savings and
41 efficiency gains, the qualified provider shall develop
42 and document an alternate method that is compatible
43 with the protocol.

44 5. An improvement that is not essential or causally
45 connected to an energy conservation measure may be
46 included in a performance-based efficiency contract
47 only to the extent that such expenditures do not,
48 in the aggregate, require the governmental unit to
49 contract for the improvements in a manner other than
50 that specified in the contract.

1 6. A facility alteration which includes
2 expenditures that are required to properly implement
3 other energy conservation measures may be included as
4 part of a performance-based efficiency contract. In
5 such a case, notwithstanding any other provision of
6 law, the installation of these additional measures may
7 be supervised by the qualified provider.

8 7. A governmental unit may enter into an
9 installment payment or lease-purchase agreement to
10 finance costs associated with the performance-based
11 efficiency contract. The qualified provider shall
12 either provide financing directly for the installment
13 payment or lease-purchase agreement or arrange
14 third-party financing. A contract shall provide for
15 all costs to be repaid in full within fifteen years
16 following the date the contract was entered into,
17 subject to extensions of up to five additional years
18 if projected savings sufficient to achieve project
19 repayment do not materialize during the fifteen-year
20 period following the date the contract was entered
21 into. The qualified provider or financing entity
22 shall be responsible for any costs not fully recovered
23 after twenty years. A governmental unit shall use
24 only documented energy savings as identified in
25 the performance-based efficiency contract for the
26 purpose of making installment or lease-purchase
27 payments pursuant to the contract, together with
28 energy efficiency rebates supplied or provided by a
29 public utility, if applicable. If energy savings and
30 rebates are insufficient to fully fund installment
31 or lease-purchase payments, the qualified provider
32 or financing entity shall carry forward the excess
33 to future years. A public utility shall provide all
34 necessary support to facilitate a performance-based
35 efficiency contract, including but not limited to
36 energy use and costs to disclosure to a qualified
37 provider selected by the governmental unit and a
38 financing entity, if applicable.

39 8. Any amount of the performance-based efficiency
40 contract or installment payment or lease-purchase
41 agreements costs that is guaranteed by the qualified
42 provider shall be excluded from any limits or
43 requirements imposed by sections 297.36, 331.402, and
44 384.24A.

45 9. A governmental unit entering into a
46 performance-based efficiency contract shall submit
47 a report to the department by January 1, annually,
48 regarding progress pursuant to the contract, results
49 received, and containing any additional information as
50 specified by the department.>

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1 2. By renumbering as necessary.

By ISENHART of Dubuque

H-8495 FILED APRIL 18, 2012

SENATE FILE 2332

H-8465

- 1 Amend Senate File 2332, as passed by the Senate, as
2 follows:
3 1. Page 6, line 11, before <Notwithstanding> by
4 inserting <1.>
5 2. Page 6, after line 29 by inserting:
6 <2. Notwithstanding subsection 1, a temporary
7 moratorium shall be applicable to a new surcharge
8 authorized pursuant to this section until one hundred
9 and fifty days after submission of recommendations by
10 the E911 task force established by this Act to the
11 general assembly.>
12 3. Page 11, line 15, by striking <located inside>
13 and inserting <~~located inside~~ utilized by>
14 4. By renumbering as necessary.

By VANDER LINDEN of Mahaska

H-8465 FILED APRIL 18, 2012

SENATE FILE 2336

H-8464

1 Amend Senate File 2336, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting clause
4 and inserting:

<DIVISION I

DEPARTMENT ON AGING

7 Section 1. 2011 Iowa Acts, chapter 129, section
8 113, is amended to read as follows:

9 SEC. 113. DEPARTMENT ON AGING. There is
10 appropriated from the general fund of the state to
11 the department on aging for the fiscal year beginning
12 July 1, 2012, and ending June 30, 2013, the following
13 amount, or so much thereof as is necessary, to be used
14 for the purposes designated:

15 For aging programs for the department on aging and
16 area agencies on aging to provide citizens of Iowa who
17 are 60 years of age and older with case management for
18 frail elders, Iowa's aging and disabilities resource
19 center, and other services which may include but are
20 not limited to adult day services, respite care, chore
21 services, information and assistance, and material aid,
22 for information and options counseling for persons with
23 disabilities who are 18 years of age or older, and
24 for salaries, support, administration, maintenance,
25 and miscellaneous purposes, and for not more than the
26 following full-time equivalent positions:

27	\$	5,151,288
28		<u>10,242,086</u>
29	FTEs	35.00

30 1. Funds appropriated in this section may be used
31 to supplement federal funds under federal regulations.
32 To receive funds appropriated in this section, a local
33 area agency on aging shall match the funds with moneys
34 from other sources according to rules adopted by the
35 department. Funds appropriated in this section may be
36 used for elderly services not specifically enumerated
37 in this section only if approved by an area agency on
38 aging for provision of the service within the area.

39 ~~2. The amount appropriated in this section includes~~
40 ~~additional funding of \$225,000 for delivery of~~
41 ~~long term care services to seniors with low or moderate~~
42 ~~incomes.~~

43 3. Of the funds appropriated in this section,
44 ~~-\$89,973~~ \$179,946 shall be transferred to the department
45 of economic development for the Iowa commission on
46 volunteer services to be used for the retired and
47 senior volunteer program.

48 4. a. The department on aging shall establish and
49 enforce procedures relating to expenditure of state and
50 federal funds by area agencies on aging that require

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1 compliance with both state and federal laws, rules, and
2 regulations, including but not limited to all of the
3 following:

4 (1) Requiring that expenditures are incurred only
5 for goods or services received or performed prior to
6 the end of the fiscal period designated for use of the
7 funds.

8 (2) Prohibiting prepayment for goods or services
9 not received or performed prior to the end of the
10 fiscal period designated for use of the funds.

11 (3) Prohibiting the prepayment for goods or
12 services not defined specifically by good or service,
13 time period, or recipient.

14 (4) Prohibiting the establishment of accounts from
15 which future goods or services which are not defined
16 specifically by good or service, time period, or
17 recipient, may be purchased.

18 b. The procedures shall provide that if any funds
19 are expended in a manner that is not in compliance with
20 the procedures and applicable federal and state laws,
21 rules, and regulations, and are subsequently subject
22 to repayment, the area agency on aging expending such
23 funds in contravention of such procedures, laws, rules
24 and regulations, not the state, shall be liable for
25 such repayment.

26 5. The department shall develop recommendations
27 for an implementation schedule, including funding
28 projections, for the substitute decision maker program
29 created pursuant to chapter 231E, and shall submit the
30 recommendations to the individuals identified in this
31 Act for submission of reports by December 15, 2012.

32 6. The amount appropriated in this section reflects
33 a reduction in expenditures for office supplies,
34 purchases of equipment, office equipment, printing and
35 binding, and marketing, that shall be applied equitably
36 to the programs under the purview of the department.

37 DIVISION II

38 DEPARTMENT OF PUBLIC HEALTH

39 Sec. 2. 2011 Iowa Acts, chapter 129, section 114,
40 is amended to read as follows:

41 SEC. 114. DEPARTMENT OF PUBLIC HEALTH. There is
42 appropriated from the general fund of the state to
43 the department of public health for the fiscal year
44 beginning July 1, 2012, and ending June 30, 2013, the
45 following amounts, or so much thereof as is necessary,
46 to be used for the purposes designated:

47 1. ADDICTIVE DISORDERS

48 For reducing the prevalence of use of tobacco,
49 alcohol, and other drugs, and treating individuals
50 affected by addictive behaviors, including gambling,

1 and for not more than the following full-time
2 equivalent positions:

3	\$	11,751,595
4		<u>23,463,690</u>
5	FTEs	13.00

6 a. (1) Of the funds appropriated in this
7 subsection, ~~-\$1,626,915~~ \$3,253,830 shall be used for
8 the tobacco use prevention and control initiative,
9 including efforts at the state and local levels, as
10 provided in chapter 142A. The commission on tobacco
11 use prevention and control established pursuant to
12 section 142A.3 shall advise the director of public
13 health in prioritizing funding needs and the allocation
14 of moneys appropriated for the programs and activities
15 of the initiative under this subparagraph (1) and shall
16 make recommendations to the director in the development
17 of budget requests relating to the initiative. Of the
18 funds allocated in this subparagraph (1), \$750,000
19 shall be used for support of Quitline Iowa.

20 (2) (a) Of the funds allocated in this paragraph
21 "a", ~~-\$226,915~~ \$453,830 shall be transferred to the
22 alcoholic beverages division of the department of
23 commerce for enforcement of tobacco laws, regulations,
24 and ordinances in accordance with 2011 Iowa Acts, ~~House~~
25 ~~File 467, as enacted chapter 63.~~

26 (b) For the fiscal year beginning July 1, 2012,
27 and ending June 30, 2013, the terms of a chapter
28 28D agreement, entered into between the division of
29 tobacco use prevention and control of the department
30 of public health and the alcoholic beverages division
31 of the department of commerce, governing compliance
32 checks conducted to ensure licensed retail tobacco
33 outlet conformity with tobacco laws, regulations, and
34 ordinances relating to persons under eighteen years of
35 age, shall restrict the number of such checks to one
36 check per retail outlet, and one additional check for
37 any retail outlet found to be in violation during the
38 first check.

39 b. Of the funds appropriated in this subsection,
40 ~~-\$10,124,680~~ \$20,249,360 shall be used for problem
41 gambling and substance abuse prevention, treatment,
42 and recovery services, including a 24-hour helpline,
43 public information resources, professional training,
44 and program evaluation.

45 (1) Of the funds allocated in this paragraph "b",
46 ~~-\$8,566,254~~ \$17,132,508 shall be used for substance
47 abuse prevention and treatment.

48 (a) Of the funds allocated in this subparagraph
49 (1), ~~-\$449,650~~ \$899,300 shall be used for the public
50 purpose of a grant program to provide substance abuse

1 prevention programming for children.

2 (i) Of the funds allocated in this subparagraph
3 division (a), ~~-\$213,769~~ \$427,539 shall be used for grant
4 funding for organizations that provide programming for
5 children by utilizing mentors. Programs approved for
6 such grants shall be certified or will be certified
7 within six months of receiving the grant award by the
8 Iowa commission on volunteer services as utilizing
9 the standards for effective practice for mentoring
10 programs.

11 (ii) Of the funds allocated in this subparagraph
12 division (a), ~~-\$213,419~~ \$426,839 shall be used for grant
13 funding for organizations that provide programming
14 that includes youth development and leadership. The
15 programs shall also be recognized as being programs
16 that are scientifically based with evidence of their
17 effectiveness in reducing substance abuse in children.

18 (iii) The department of public health shall utilize
19 a request for proposals process to implement the grant
20 program.

21 (iv) All grant recipients shall participate in a
22 program evaluation as a requirement for receiving grant
23 funds.

24 (v) Of the funds allocated in this subparagraph
25 division (a), up to ~~-\$22,461~~ \$44,922 may be used to
26 administer substance abuse prevention grants and for
27 program evaluations.

28 (b) Of the funds allocated in this subparagraph
29 (1), ~~-\$136,531~~ \$273,062 shall be used for culturally
30 competent substance abuse treatment pilot projects.

31 (i) The department shall utilize the amount
32 allocated in this subparagraph division (b) for at
33 least three pilot projects to provide culturally
34 competent substance abuse treatment in various areas
35 of the state. Each pilot project shall target a
36 particular ethnic minority population. The populations
37 targeted shall include but are not limited to African
38 American, Asian, and Latino.

39 (ii) The pilot project requirements shall provide
40 for documentation or other means to ensure access
41 to the cultural competence approach used by a pilot
42 project so that such approach can be replicated and
43 improved upon in successor programs.

44 (2) Of the funds allocated in this paragraph "b",
45 up to ~~-\$1,558,426~~ \$3,116,852 may be used for problem
46 gambling prevention, treatment, and recovery services.

47 (a) Of the funds allocated in this subparagraph
48 (2), ~~-\$1,289,500~~ \$2,579,000 shall be used for problem
49 gambling prevention and treatment.

50 (b) Of the funds allocated in this subparagraph

1 (2), up to ~~-\$218,926~~ \$437,852 may be used for a 24-hour
2 helpline, public information resources, professional
3 training, and program evaluation.

4 (c) Of the funds allocated in this subparagraph
5 (2), up to ~~-\$50,000~~ \$100,000 may be used for the
6 licensing of problem gambling treatment programs.

7 (3) It is the intent of the general assembly that
8 from the moneys allocated in this paragraph "b",
9 persons with a dual diagnosis of substance abuse
10 and gambling addictions shall be given priority in
11 treatment services.

12 c. Notwithstanding any provision of law to the
13 contrary, to standardize the availability, delivery,
14 cost of delivery, and accountability of problem
15 gambling and substance abuse treatment services
16 statewide, the department shall continue implementation
17 of a process to create a system for delivery of
18 treatment services in accordance with the requirements
19 specified in 2008 Iowa Acts, chapter 1187, section
20 3, subsection 4. To ensure the system provides a
21 continuum of treatment services that best meets the
22 needs of Iowans, the problem gambling and substance
23 abuse treatment services in any area may be provided
24 either by a single agency or by separate agencies
25 submitting a joint proposal.

26 (1) The system for delivery of substance abuse
27 and problem gambling treatment shall include problem
28 gambling prevention.

29 (2) The system for delivery of substance abuse and
30 problem gambling treatment shall include substance
31 abuse prevention by July 1, 2014.

32 (3) Of the funds allocated in paragraph "b",
33 the department may use up to ~~-\$50,000~~ \$100,000 for
34 administrative costs to continue developing and
35 implementing the process in accordance with this
36 paragraph "c".

37 d. The requirement of section 123.53, subsection
38 5, is met by the appropriations and allocations made
39 in this Act for purposes of substance abuse treatment
40 and addictive disorders for the fiscal year beginning
41 July 1, 2012.

42 e. The department of public health shall work
43 with all other departments that fund substance
44 abuse prevention and treatment services and all
45 such departments shall, to the extent necessary,
46 collectively meet the state maintenance of effort
47 requirements for expenditures for substance abuse
48 services as required under the federal substance abuse
49 prevention and treatment block grant.

50 f. The department shall amend or otherwise

1 revise departmental policies and contract provisions
 2 in order to eliminate free t-shirt distribution,
 3 banner production, and other unnecessary promotional
 4 expenditures.

5 g. The amount appropriated in this subsection
 6 reflects a reduction in expenditures for office
 7 supplies, purchases of equipment, office equipment,
 8 printing and binding, and marketing, that shall
 9 be applied equitably to the programs under this
 10 subsection.

11 2. HEALTHY CHILDREN AND FAMILIES

12 For promoting the optimum health status for
 13 children, adolescents from birth through 21 years of
 14 age, and families, and for not more than the following
 15 full-time equivalent positions:

16	\$	<u>1,297,135</u>
17		<u>2,578,559</u>
18	FTEs	10.00

19 a. Of the funds appropriated in this subsection,
 20 not more than ~~-\$369,659~~ \$739,318 shall be used for
 21 the healthy opportunities to experience success
 22 (HOPES)-healthy families Iowa (HFI) program established
 23 pursuant to section 135.106. The funding shall be
 24 distributed to renew the grants that were provided
 25 to the grantees that operated the program during the
 26 fiscal year ending June 30, 2012.

27 0b. (1) In order to implement the legislative
 28 intent stated in sections 135.106 and 256I.9, that
 29 priority for home visitation program funding be given
 30 to programs using evidence-based or promising models
 31 for home visitation, it is the intent of the general
 32 assembly to phase-in the funding priority as follows:

33 (a) By July 1, 2013, 25 percent of state
 34 funds expended for home visiting programs are for
 35 evidence-based or promising program models.

36 (b) By July 1, 2014, 50 percent of state
 37 funds expended for home visiting programs are for
 38 evidence-based or promising program models.

39 (c) By July 1, 2015, 75 percent of state
 40 funds expended for home visiting programs are for
 41 evidence-based or promising program models.

42 (d) By July 1, 2016, 90 percent of state
 43 funds expended for home visiting programs are for
 44 evidence-based or promising program models. The
 45 remaining 10 percent of funds may be used for
 46 innovative program models that do not yet meet the
 47 definition of evidence-based or promising programs.

48 (2) For the purposes of this lettered paragraph,
 49 unless the context otherwise requires:

50 (a) "Evidence-based program" means a program that

1 is based on scientific evidence demonstrating that
2 the program model is effective. An evidence-based
3 program shall be reviewed onsite and compared to
4 program model standards by the model developer or the
5 developer's designee at least every five years to
6 ensure that the program continues to maintain fidelity
7 with the program model. The program model shall have
8 had demonstrated significant and sustained positive
9 outcomes in an evaluation utilizing a well-designed and
10 rigorous randomized controlled research design or a
11 quasi-experimental research design, and the evaluation
12 results shall have been published in a peer-reviewed
13 journal.

14 (b) "Family support programs" includes group-based
15 parent education or home visiting programs that are
16 designed to strengthen protective factors, including
17 parenting skills, increasing parental knowledge of
18 child development, and increasing family functioning
19 and problem solving skills. A family support program
20 may be used as an early intervention strategy to
21 improve birth outcomes, parental knowledge, family
22 economic success, the home learning environment, family
23 and child involvement with others, and coordination
24 with other community resources. A family support
25 program may have a specific focus on preventing child
26 maltreatment or ensuring children are safe, healthy,
27 and ready to succeed in school.

28 (c) "Promising program" means a program that meets
29 all of the following requirements:

30 (i) The program conforms to a clear, consistent
31 family support model that has been in existence for at
32 least three years.

33 (ii) The program is grounded in relevant
34 empirically-based knowledge.

35 (iii) The program is linked to program-determined
36 outcomes.

37 (iv) The program is associated with a national
38 or state organization that either has comprehensive
39 program standards that ensure high-quality service
40 delivery and continuous program quality improvement
41 or the program model has demonstrated through the
42 program's benchmark outcomes that the program has
43 achieved significant positive outcomes equivalent
44 to those achieved by program models with published
45 significant and sustained results in a peer-reviewed
46 journal.

47 (v) The program has been awarded the Iowa family
48 support credential and has been reviewed onsite
49 at least every five years to ensure the program's
50 adherence to the Iowa family support standards approved

1 by the early childhood Iowa state board created in
2 section 256I.3 or a comparable set of standards. The
3 onsite review is completed by an independent review
4 team that is not associated with the program or the
5 organization administering the program.

6 (3) (a) The data reporting requirements applicable
7 to the HOPES-HFI program services shall include the
8 requirements adopted by the early childhood Iowa state
9 board pursuant to section 256I.4 for the family support
10 programs targeted to families expecting a child or
11 with newborn and infant children through age five and
12 funded through the state board. The department of
13 public health may specify additional data reporting
14 requirements for the HOPES-HFI program services.
15 The HOPES-HFI program services shall be required to
16 participate in a state administered internet-based
17 data collection system by July 1, 2013. The annual
18 reporting concerning the HOPES-HFI program services
19 shall include program outcomes beginning with the 2015
20 report.

21 (b) The data on families served that is collected
22 by the HOPES-HFI program shall include but is not
23 limited to basic demographic information, services
24 received, funding utilized, and program outcomes for
25 the children and families served.

26 (c) The HOPES-HFI program shall work with the early
27 childhood Iowa state board in the state board's efforts
28 to identify minimum competency standards for the
29 employees and supervisors of family support programs
30 funded. The HOPES-HFI program, along with the state
31 board, shall submit recommendations concerning the
32 standards to the governor and general assembly on or
33 before January 1, 2014.

34 (d) On or before January 1, 2013, the HOPES-HFI
35 program shall adopt criminal and child abuse record
36 check requirements for the employees and supervisors of
37 family support programs funded through the program.

38 (e) The HOPES-HFI program shall work with the early
39 childhood Iowa state board in the state board's efforts
40 to develop a plan to implement a coordinated intake and
41 referral process for publicly funded family support
42 programs in order to engage the families expecting a
43 child or with newborn and infant children through age
44 five in all communities in the state by July 1, 2015.

45 b. Of the funds appropriated in this subsection,
46 ~~-\$164,942~~ \$329,885 shall be used to continue to address
47 the healthy mental development of children from birth
48 through five years of age through local evidence-based
49 strategies that engage both the public and private
50 sectors in promoting healthy development, prevention,

1 and treatment for children. The department shall work
 2 with the department of human services, Iowa Medicaid
 3 enterprise, to develop a plan to secure matching
 4 medical assistance program funding to provide services
 5 under this paragraph, which may include a per member
 6 per month payment to reimburse the care coordination
 7 and community outreach services component that links
 8 young children and their families with identified
 9 service needs.

10 c. Of the funds appropriated in this subsection,
 11 ~~-\$15,798~~ \$31,597 shall be distributed to a statewide
 12 dental carrier to provide funds to continue the donated
 13 dental services program patterned after the projects
 14 developed by the lifeline network to provide dental
 15 services to indigent elderly and disabled individuals.

16 d. Of the funds appropriated in this subsection,
 17 ~~-\$56,338~~ \$112,677 shall be used for childhood obesity
 18 prevention.

19 e. Of the funds appropriated in this subsection,
 20 ~~-\$81,880~~ \$163,760 shall be used to provide audiological
 21 services and hearing aids for children. The department
 22 may enter into a contract to administer this paragraph.

23 f. The amount appropriated in this subsection
 24 reflects a reduction in expenditures for office
 25 supplies, purchases of equipment, office equipment,
 26 printing and binding, and marketing, that shall
 27 be applied equitably to the programs under this
 28 subsection.

29 3. CHRONIC CONDITIONS

30 For serving individuals identified as having chronic
 31 conditions or special health care needs, and for not
 32 more than the following full-time equivalent positions:

33	\$	1,680,828
34		<u>3,424,366</u>
35	FTEs	4.00

36 a. Of the funds appropriated in this subsection,
 37 ~~-\$80,291~~ \$160,582 shall be used for grants to individual
 38 patients who have phenylketonuria (PKU) to assist with
 39 the costs of necessary special foods.

40 b. Of the funds appropriated in this subsection,
 41 ~~-\$241,800~~ \$483,600 is allocated for continuation of
 42 the contracts for resource facilitator services in
 43 accordance with section 135.22B, subsection 9, and
 44 for brain injury training services and recruiting of
 45 service providers to increase the capacity within this
 46 state to address the needs of individuals with brain
 47 injuries and such individuals' families.

48 c. Of the funds appropriated in this subsection,
 49 ~~-\$249,437~~ \$498,874 shall be used as additional funding
 50 to leverage federal funding through the federal Ryan

1 White Care Act, Tit. II, AIDS drug assistance program
 2 supplemental drug treatment grants.
 3 d. Of the funds appropriated in this subsection,
 4 ~~-\$15,627~~ \$50,000 shall be used for the public purpose of
 5 providing a grant to an existing national-affiliated
 6 organization to provide education, client-centered
 7 programs, and client and family support for people
 8 living with epilepsy and their families.

9 e. Of the funds appropriated in this subsection,
 10 ~~-\$394,151~~ \$788,303 shall be used for child health
 11 specialty clinics.

12 f. Of the funds appropriated in this subsection,
 13 ~~-\$248,533~~ \$497,065 shall be used for the comprehensive
 14 cancer control program to reduce the burden of cancer
 15 in Iowa through prevention, early detection, effective
 16 treatment, and ensuring quality of life. Of the funds
 17 allocated in this lettered paragraph, ~~-\$75,000~~ \$250,000
 18 shall be used to support a melanoma research symposium,
 19 a melanoma biorepository and registry, basic and
 20 translational melanoma research, and clinical trials.

21 g. Of the funds appropriated in this subsection,
 22 ~~-\$63,225~~ \$126,450 shall be used for cervical and colon
 23 cancer screening.

24 h. Of the funds appropriated in this subsection,
 25 ~~-\$264,417~~ \$528,834 shall be used for the center for
 26 congenital and inherited disorders.

27 i. Of the funds appropriated in this subsection,
 28 ~~-\$64,968~~ \$100,000 shall be used for the prescription
 29 drug donation repository program created in chapter
 30 135M.

31 j. No later than December 15, 2012, the department
 32 of public health, in collaboration with the department
 33 of education and other interested parties, shall
 34 develop training guidelines for the management of
 35 chronic conditions that affect children to be made
 36 available to public schools and accredited nonpublic
 37 schools throughout the state.

38 k. The amount appropriated in this subsection
 39 reflects a reduction in expenditures for office
 40 supplies, purchases of equipment, office equipment,
 41 printing and binding, and marketing, that shall
 42 be applied equitably to the programs under this
 43 subsection.

44 4. COMMUNITY CAPACITY

45 For strengthening the health care delivery system at
 46 the local level, and for not more than the following
 47 full-time equivalent positions:

48	\$	<u>2,117,583</u>
49		<u>3,788,859</u>
50	FTEs	14.00

1 a. Of the funds appropriated in this subsection,
 2 ~~-\$50,000~~ \$100,000 is allocated for a child vision
 3 screening program implemented through the university of
 4 Iowa hospitals and clinics in collaboration with early
 5 childhood Iowa areas.

6 b. Of the funds appropriated in this subsection,
 7 ~~-\$55,654~~ \$111,308 is allocated for continuation of an
 8 initiative implemented at the university of Iowa and
 9 ~~-\$50,246~~ \$100,493 is allocated for continuation of an
 10 initiative at the state mental health institute at
 11 Cherokee to expand and improve the workforce engaged in
 12 mental health treatment and services. The initiatives
 13 shall receive input from the university of Iowa, the
 14 department of human services, the department of public
 15 health, and the mental health and disability services
 16 commission to address the focus of the initiatives.

17 c. Of the funds appropriated in this subsection,
 18 ~~-\$585,745~~ \$1,171,491 shall be used for essential public
 19 health services that promote healthy aging throughout
 20 the lifespan, contracted through a formula for local
 21 boards of health, to enhance health promotion and
 22 disease prevention services.

23 d. Of the funds appropriated in this section,
 24 ~~-\$60,908~~ \$100,000 shall be deposited in the governmental
 25 public health system fund created in section 135A.8 to
 26 be used for the purposes of the fund.

27 e. Of the funds appropriated in this subsection,
 28 ~~-\$72,271~~ \$144,542 shall be used for the mental health
 29 professional shortage area program implemented pursuant
 30 to section 135.80.

31 f. Of the funds appropriated in this subsection,
 32 ~~-\$19,131~~ \$38,263 shall be used for a grant to a
 33 statewide association of psychologists that is
 34 affiliated with the American psychological association
 35 to be used for continuation of a program to rotate
 36 intern psychologists in placements in urban and rural
 37 mental health professional shortage areas, as defined
 38 in section ~~135.80~~ 135.180.

39 g. Of the funds appropriated in this subsection,
 40 the following amounts shall be allocated to the Iowa
 41 collaborative safety net provider network established
 42 pursuant to section 135.153 to be used for the purposes
 43 designated. The following amounts allocated under
 44 this lettered paragraph shall be distributed to
 45 the specified provider and shall not be reduced for
 46 administrative or other costs prior to distribution:

47 (1) For distribution to the Iowa primary care
 48 association for statewide coordination of the Iowa
 49 collaborative safety net provider network:

50 \$ 66,290

1		<u>70,000</u>
2	(2) For distribution to the local boards of health	
3	that provide direct services for pilot programs in	
4	three counties to assist patients in determining an	
5	appropriate medical home:	
6	..... \$	<u>38,804</u>
7		<u>77,609</u>
8	(3) For distribution to maternal and child health	
9	centers for pilot programs in three counties to assist	
10	patients in determining an appropriate medical home:	
11	..... \$	<u>38,804</u>
12		<u>77,609</u>
13	(4) For distribution to free clinics for necessary	
14	infrastructure, statewide coordination, provider	
15	recruitment, service delivery, and provision of	
16	assistance to patients in determining an appropriate	
17	medical home:	
18	..... \$	<u>62,025</u>
19		<u>124,050</u>
20	(5) For distribution to rural health clinics for	
21	necessary infrastructure, statewide coordination,	
22	provider recruitment, service delivery, and provision	
23	of assistance to patients in determining an appropriate	
24	medical home:	
25	..... \$	<u>55,215</u>
26		<u>110,430</u>
27	(6) For continuation of the safety net provider	
28	patient access to specialty health care initiative as	
29	described in 2007 Iowa Acts, chapter 218, section 109:	
30	..... \$	<u>130,000</u>
31		<u>260,000</u>
32	(7) For continuation of the pharmaceutical	
33	infrastructure for safety net providers as described in	
34	2007 Iowa Acts, chapter 218, section 108:	
35	..... \$	<u>135,000</u>
36		<u>270,000</u>
37	The Iowa collaborative safety net provider network	
38	may continue to distribute funds allocated pursuant to	
39	this lettered paragraph through existing contracts or	
40	renewal of existing contracts.	
41	h. (1) Of the funds appropriated in this	
42	subsection, \$74,500 shall be used for continued	
43	implementation of the recommendations of the direct	
44	care worker task force established pursuant to 2005	
45	Iowa Acts, chapter 88, based upon the report submitted	
46	to the governor and the general assembly in December	
47	2006. The department may use a portion of the funds	
48	allocated in this lettered paragraph for an additional	
49	position to assist in the continued implementation.	
50	i. (1) Of the funds appropriated in this	

1 subsection, \$65,050 shall be used for allocation
 2 to an independent statewide direct care worker
 3 association under a contract with terms determined by
 4 the director of public health relating to education,
 5 outreach, leadership development, mentoring, and other
 6 initiatives intended to enhance the recruitment and
 7 retention of direct care workers in health care and
 8 long term care settings.

9 ~~-(2) Of the funds appropriated in this subsection,~~
 10 ~~\$29,000 shall be used to provide scholarships or~~
 11 ~~other forms of subsidization for direct care worker~~
 12 ~~educational conferences, training, or outreach~~
 13 ~~activities.~~

14 j. Of the funds appropriated in this subsection,
 15 the department may use up to ~~\$29,259~~ \$58,518 for up to
 16 one full-time equivalent position to administer the
 17 volunteer health care provider program pursuant to
 18 section 135.24.

19 k. Of the funds appropriated in this subsection,
 20 ~~\$25,000~~ \$50,000 shall be used for a matching dental
 21 education loan repayment program to be allocated to a
 22 dental nonprofit health service corporation to develop
 23 the criteria and implement the loan repayment program.

24 l. The amount appropriated in this subsection
 25 reflects a reduction in expenditures for office
 26 supplies, purchases of equipment, office equipment,
 27 printing and binding, and marketing, that shall
 28 be applied equitably to the programs under this
 29 subsection.

30 5. HEALTHY AGING

31 To provide public health services that reduce risks
 32 and invest in promoting and protecting good health over
 33 the course of a lifetime with a priority given to older
 34 Iowans and vulnerable populations:

35	\$	3,648,571
36		<u>7,297,142</u>

37 a. Of the funds appropriated in this subsection,
 38 ~~\$1,004,593~~ \$2,009,187 shall be used for local public
 39 health nursing services.

40 b. Of the funds appropriated in this subsection,
 41 ~~\$2,643,977~~ \$5,287,955 shall be used for home care aide
 42 services.

43 6. ENVIRONMENTAL HAZARDS

44 For reducing the public's exposure to hazards in the
 45 environment, primarily chemical hazards, and for not
 46 more than the following full-time equivalent positions:

47	\$	406,888
48		<u>803,870</u>
49	FTEs	<u>4.00</u>

50 a. Of the funds appropriated in this subsection,

1 ~~-\$272,188~~ \$544,377 shall be used for childhood lead
2 poisoning provisions.

3 b. The amount appropriated in this subsection
4 reflects a reduction in expenditures for office
5 supplies, purchases of equipment, office equipment,
6 printing and binding, and marketing, that shall
7 be applied equitably to the programs under this
8 subsection.

9 7. INFECTIOUS DISEASES

10 For reducing the incidence and prevalence of
11 communicable diseases, and for not more than the
12 following full-time equivalent positions:

13	\$	672,923
14		<u>1,335,155</u>
15	FTEs	<u>4.00</u>

16 The amount appropriated in this subsection reflects
17 a reduction in expenditures for office supplies,
18 purchases of equipment, office equipment, printing and
19 binding, and marketing, that shall be applied equitably
20 to the programs under this subsection.

21 8. PUBLIC PROTECTION

22 For protecting the health and safety of the
23 public through establishing standards and enforcing
24 regulations, and for not more than the following
25 full-time equivalent positions:

26	\$	1,388,116
27		<u>2,693,384</u>
28	FTEs	<u>125.00</u>

29 a. Of the funds appropriated in this subsection,
30 not more than ~~-\$235,845~~ \$471,690 shall be credited to
31 the emergency medical services fund created in section
32 135.25. Moneys in the emergency medical services fund
33 are appropriated to the department to be used for the
34 purposes of the fund.

35 b. Of the funds appropriated in this subsection,
36 ~~-\$105,309~~ \$210,619 shall be used for sexual violence
37 prevention programming through a statewide organization
38 representing programs serving victims of sexual
39 violence through the department's sexual violence
40 prevention program. The amount allocated in this
41 lettered paragraph shall not be used to supplant
42 funding administered for other sexual violence
43 prevention or victims assistance programs.

44 c. Of the funds appropriated in this subsection,
45 not more than ~~-\$218,291~~ \$539,477 shall be used for the
46 state poison control center.

47 d. Of the funds appropriated in this subsection,
48 \$50,000 shall be used for implementation of 2012 Iowa
49 Acts, [Senate File 364](#), if enacted.

50 e. The amount appropriated in this subsection

1 reflects a reduction in expenditures for office
 2 supplies, purchases of equipment, office equipment,
 3 printing and binding, and marketing, that shall
 4 be applied equitably to the programs under this
 5 subsection.

6 9. RESOURCE MANAGEMENT

7 For establishing and sustaining the overall
 8 ability of the department to deliver services to the
 9 public, and for not more than the following full-time
 10 equivalent positions:

11	\$	409,777
12		734,500
13	FTEs	7.00

14 The amount appropriated in this subsection reflects
 15 a reduction in expenditures for office supplies,
 16 purchases of equipment, office equipment, printing and
 17 binding, and marketing, that shall be applied equitably
 18 to the programs under this subsection.

19 The university of Iowa hospitals and clinics under
 20 the control of the state board of regents shall not
 21 receive indirect costs from the funds appropriated in
 22 this section. The university of Iowa hospitals and
 23 clinics billings to the department shall be on at least
 24 a quarterly basis.

25 The department shall review and make recommendations
 26 for consolidating or eliminating boards, commissions,
 27 committees, councils, and other entities within
 28 the departmental organization and under the purview
 29 of the department to increase efficiencies and
 30 reduce duplication. The department shall submit its
 31 recommendations for consolidation or elimination to the
 32 individuals specified in this Act for submission of
 33 reports by December 15, 2012.

34 DIVISION III

35 DEPARTMENT OF VETERANS AFFAIRS

36 Sec. 3. 2011 Iowa Acts, chapter 129, section 115,
 37 is amended to read as follows:

38 SEC. 115. DEPARTMENT OF VETERANS AFFAIRS. There
 39 is appropriated from the general fund of the state to
 40 the department of veterans affairs for the fiscal year
 41 beginning July 1, 2012, and ending June 30, 2013, the
 42 following amounts, or so much thereof as is necessary,
 43 to be used for the purposes designated:

44 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

45 For salaries, support, maintenance, and
 46 miscellaneous purposes, including the war orphans
 47 educational assistance fund created in section
 48 35.8, and for not more than the following full-time
 49 equivalent positions:

50	\$	499,416
----------	----	---------

1		1,025,819
2	..... FTEs	<u>16.34</u>
3	2. IOWA VETERANS HOME	
4	For salaries, support, maintenance, and	
5	miscellaneous purposes:	
6	..... \$	<u>4,476,075</u>
7		<u>8,775,714</u>
8	a. The Iowa veterans home billings involving the	
9	department of human services shall be submitted to the	
10	department on at least a monthly basis.	
11	b. If there is a change in the employer of	
12	employees providing services at the Iowa veterans home	
13	under a collective bargaining agreement, such employees	
14	and the agreement shall be continued by the successor	
15	employer as though there had not been a change in	
16	employer.	
17	c. Within available resources and in conformance	
18	with associated state and federal program eligibility	
19	requirements, the Iowa veterans home may implement	
20	measures to provide financial assistance to or	
21	on behalf of veterans or their spouses <u>who are</u>	
22	<u>participating in the community reentry program.</u>	
23	d. <u>The Iowa veterans home expenditure report</u>	
24	<u>shall be submitted monthly to the legislative services</u>	
25	<u>agency.</u>	
26	e. <u>The funds appropriated in this subsection</u>	
27	<u>to the Iowa veterans home that remain available for</u>	
28	<u>expenditure for the succeeding fiscal year pursuant to</u>	
29	<u>section 35D.18, subsection 5, shall be distributed to</u>	
30	<u>be used in the succeeding fiscal year in accordance</u>	
31	<u>with this lettered paragraph. The first \$500,000 shall</u>	
32	<u>remain available to be used for the purposes of the</u>	
33	<u>Iowa veterans home. On or before October 15, 2013, the</u>	
34	<u>department of management shall transfer the remaining</u>	
35	<u>balance to the veterans trust fund created in section</u>	
36	<u>35A.13.</u>	
37	f. <u>The amount appropriated in this subsection</u>	
38	<u>reflects a reduction in expenditures for office</u>	
39	<u>supplies, purchases of equipment, office equipment,</u>	
40	<u>printing and binding, and marketing, that shall</u>	
41	<u>be applied equitably to the programs under this</u>	
42	<u>subsection.</u>	
43	3. STATE EDUCATIONAL ASSISTANCE ---- CHILDREN OF	
44	DECEASED VETERANS	
45	For provision of educational assistance pursuant to	
46	section 35.9:	
47	..... \$	<u>6,208</u>
48		<u>12,416</u>
49	4. HOME OWNERSHIP ASSISTANCE PROGRAM	
50	For transfer to the Iowa finance authority for the	

1 continuation of the home ownership assistance program
 2 for persons who are or were eligible members of the
 3 armed forces of the United States, pursuant to section
 4 16.54:

5 \$ 1,600,000

6 Sec. 4. 2011 Iowa Acts, chapter 129, section 116,
 7 is amended to read as follows:

8 SEC. 116. LIMITATION OF COUNTY

9 COMMISSION OF VETERANS AFFAIRS FUND STANDING

10 APPROPRIATIONS. Notwithstanding the standing
 11 appropriation in the following designated section for
 12 the fiscal year beginning July 1, 2012, and ending June
 13 30, 2013, the amounts appropriated from the general
 14 fund of the state pursuant to that section for the
 15 following designated purposes shall not exceed the
 16 following amount:

17 For the county commissions of veterans affairs fund
 18 under section 35A.16:

19 \$ ~~495,000~~
 20 990,000

21 DIVISION IV

22 DEPARTMENT OF HUMAN SERVICES

23 Sec. 5. 2011 Iowa Acts, chapter 129, section 117,
 24 is amended to read as follows:

25 SEC. 117. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

26 BLOCK GRANT. There is appropriated from the fund
 27 created in section 8.41 to the department of human
 28 services for the fiscal year beginning July 1, 2012,
 29 and ending June 30, 2013, from moneys received under
 30 the federal temporary assistance for needy families
 31 (TANF) block grant pursuant to the federal Personal
 32 Responsibility and Work Opportunity Reconciliation
 33 Act of 1996, Pub. L. No. 104-193, and successor
 34 legislation, and from moneys received under the
 35 emergency contingency fund for temporary assistance
 36 for needy families state program established pursuant
 37 to the federal American Recovery and Reinvestment
 38 Act of 2009, Pub. L. No. 111-5 { 2101, and successor
 39 legislation, the following amounts, or so much
 40 thereof as is necessary, to be used for the purposes
 41 designated:

42 1. To be credited to the family investment program
 43 account and used for assistance under the family
 44 investment program under chapter 239B:

45 \$ ~~10,750,369~~
 46 19,790,365

47 2. To be credited to the family investment program
 48 account and used for the job opportunities and
 49 basic skills (JOBS) program and implementing family
 50 investment agreements in accordance with chapter 239B:

1	.....	\$	6,205,764
2			<u>12,411,528</u>
3	3. To be used for the family development and		
4	self-sufficiency grant program in accordance with		
5	section 216A.107:		
6	.....	\$	1,449,490
7			<u>2,898,980</u>
8	Notwithstanding section 8.33, moneys appropriated in		
9	this subsection that remain unencumbered or unobligated		
10	at the close of the fiscal year shall not revert but		
11	shall remain available for expenditure for the purposes		
12	designated until the close of the succeeding fiscal		
13	year. However, unless such moneys are encumbered or		
14	obligated on or before September 30, 2013, the moneys		
15	shall revert.		
16	4. For field operations:		
17	.....	\$	15,648,116
18			<u>31,296,232</u>
19	5. For general administration:		
20	.....	\$	1,872,000
21			<u>3,744,000</u>
22	6. For state child care assistance:		
23	.....	\$	8,191,343
24			<u>16,382,687</u>
25	The funds appropriated in this subsection shall be		
26	transferred to the child care and development block		
27	grant appropriation made pursuant to 2011 Iowa Acts,		
28	chapter 126, section 32, by the Eighty-fourth General		
29	Assembly, 2012 2011 Session, for the federal fiscal		
30	year beginning October 1, 2012, and ending September		
31	30, 2013. Of this amount, -\$100,000 <u>\$200,000</u> shall		
32	be used for provision of educational opportunities		
33	to registered child care home providers in order to		
34	improve services and programs offered by this category		
35	of providers and to increase the number of providers.		
36	The department may contract with institutions of higher		
37	education or child care resource and referral centers		
38	to provide the educational opportunities. Allowable		
39	administrative costs under the contracts shall not		
40	exceed 5 percent. The application for a grant shall		
41	not exceed two pages in length.		
42	7. For <u>distribution to counties for state case</u>		
43	<u>services for persons with mental health and illness,</u>		
44	<u>an intellectual disability, or a developmental</u>		
45	<u>disabilities community services disability in</u>		
46	<u>accordance with section 331.440:</u>		
47	.....	\$	2,447,026
48			<u>4,894,052</u>
49	8. For child and family services:		
50	.....	\$	16,042,215

1		32,084,430
2	9. For child abuse prevention grants:	
3	..... \$	62,500
4		<u>125,000</u>

5	10. For pregnancy prevention grants on the	
6	condition that family planning services are funded:	
7	..... \$	965,033
8		<u>1,930,067</u>

9 Pregnancy prevention grants shall be awarded to
 10 programs in existence on or before July 1, 2012, if the
 11 programs have demonstrated positive outcomes. Grants
 12 shall be awarded to pregnancy prevention programs
 13 which are developed after July 1, 2012, if the programs
 14 are based on existing models that have demonstrated
 15 positive outcomes. Grants shall comply with the
 16 requirements provided in 1997 Iowa Acts, chapter
 17 208, section 14, subsections 1 and 2, including the
 18 requirement that grant programs must emphasize sexual
 19 abstinence. Priority in the awarding of grants shall
 20 be given to programs that serve areas of the state
 21 which demonstrate the highest percentage of unplanned
 22 pregnancies of females of childbearing age within the
 23 geographic area to be served by the grant.

24	11. For technology needs and other resources	
25	necessary to meet federal welfare reform reporting,	
26	tracking, and case management requirements:	
27	..... \$	518,593
28		<u>1,037,186</u>

29	12. To be credited to the state child care	
30	assistance appropriation made in this section to be	
31	used for funding of community-based early childhood	
32	programs targeted to children from birth through five	
33	years of age developed by early childhood Iowa areas as	
34	provided in section 256I.11:	
35	..... \$	3,175,000
36		<u>6,350,000</u>

37 The department shall transfer TANF block grant
 38 funding appropriated and allocated in this subsection
 39 to the child care and development block grant
 40 appropriation in accordance with federal law as
 41 necessary to comply with the provisions of this
 42 subsection.

43 13. a. Notwithstanding any provision to the
 44 contrary, including but not limited to requirements
 45 in section 8.41 or provisions in 2011 or 2012 Iowa
 46 Acts regarding the receipt and appropriation of
 47 federal block grants, federal funds from the ~~emergency~~
 48 ~~contingency fund for temporary assistance for needy~~
 49 ~~families state program established pursuant to the~~
 50 ~~federal American Recovery and Reinvestment Act of 2009,~~

1 ~~Pub. L. No. 111-5 (2101, block grant received by the~~
2 ~~state during the fiscal year beginning July 1, 2011,~~
3 ~~and ending June 30, 2012, not otherwise appropriated~~
4 ~~in this section and remaining available as of for~~
5 ~~the fiscal year beginning July 1, 2012, and received~~
6 ~~by the state during the fiscal year beginning July~~
7 ~~1, 2012, and ending June 30, 2013, are appropriated~~
8 ~~to the department of human services to the extent as~~
9 ~~may be necessary to be used in the following priority~~
10 ~~order: the family investment program for the fiscal~~
11 ~~year and for state child care assistance program~~
12 ~~payments for individuals enrolled in the family~~
13 ~~investment program who are employed. The federal funds~~
14 ~~appropriated in this paragraph "a" shall be expended~~
15 ~~only after all other funds appropriated in subsection 1~~
16 ~~for the assistance under the family investment program~~
17 ~~under chapter 239B have been expended.~~

18 b. The department shall, on a quarterly basis,
19 advise the legislative services agency and department
20 of management of the amount of funds appropriated in
21 this subsection that was expended in the prior quarter.

22 14. Of the amounts appropriated in this section,
23 ~~-\$6,481,004~~ \$12,962,008 for the fiscal year beginning
24 July 1, 2012, shall be transferred to the appropriation
25 of the federal social services block grant made for
26 that fiscal year.

27 15. For continuation of the program allowing the
28 department to maintain categorical eligibility for the
29 food assistance program as required under the section
30 of this division relating to the family investment
31 account:

32	\$	73,036
33		<u>25,000</u>

34 16. The department may transfer funds allocated
35 in this section to the appropriations made in this
36 division of this Act for general administration and
37 field operations for resources necessary to implement
38 and operate the services referred to in this section
39 and those funded in the appropriation made in this
40 division of this Act for the family investment program
41 from the general fund of the state.

42 Sec. 6. 2011 Iowa Acts, chapter 129, section 118,
43 is amended to read as follows:

44 SEC. 118. FAMILY INVESTMENT PROGRAM ACCOUNT.

45 1. Moneys credited to the family investment program
46 (FIP) account for the fiscal year beginning July
47 1, 2012, and ending June 30, 2013, shall be used to
48 provide assistance in accordance with chapter 239B.

49 2. The department may use a portion of the moneys
50 credited to the FIP account under this section as

1 necessary for salaries, support, maintenance, and
 2 miscellaneous purposes.

3 3. The department may transfer funds allocated in
 4 this section to the appropriations in this division
 5 of this Act for general administration and field
 6 operations for resources necessary to implement and
 7 operate the services referred to in this section and
 8 those funded in the appropriation made in this division
 9 of this Act for the family investment program from the
 10 general fund of the state.

11 4. Moneys appropriated in this division of this Act
 12 and credited to the FIP account for the fiscal year
 13 beginning July 1, 2012, and ending June 30, 2013, are
 14 allocated as follows:

15 a. To be retained by the department of human
 16 services to be used for coordinating with the
 17 department of human rights to more effectively serve
 18 participants in the FIP program and other shared
 19 clients and to meet federal reporting requirements
 20 under the federal temporary assistance for needy
 21 families block grant:
 22 \$ ~~10,000~~
 23 20,000

24 b. To the department of human rights for staffing,
 25 administration, and implementation of the family
 26 development and self-sufficiency grant program in
 27 accordance with section 216A.107:
 28 \$ ~~2,671,417~~
 29 5,342,834

30 (1) Of the funds allocated for the family
 31 development and self-sufficiency grant program in this
 32 lettered paragraph, not more than 5 percent of the
 33 funds shall be used for the administration of the grant
 34 program.

35 (2) The department of human rights may continue to
 36 implement the family development and self-sufficiency
 37 grant program statewide during fiscal year 2012-2013.

38 c. For the diversion subaccount of the FIP account:
 39 \$ ~~849,200~~
 40 1,698,400

41 A portion of the moneys allocated for the subaccount
 42 may be used for field operations salaries, data
 43 management system development, and implementation
 44 costs and support deemed necessary by the director of
 45 human services in order to administer the FIP diversion
 46 program.

47 d. For the food stamp employment and training
 48 program:
 49 \$ ~~33,294~~
 50 66,588

1 (1) The department shall amend the food stamp
2 employment and training state plan in order to maximize
3 to the fullest extent permitted by federal law the
4 use of the 50-50 match provisions for the claiming
5 of allowable federal matching funds from the United
6 States department of agriculture pursuant to the
7 federal food stamp employment and training program for
8 providing education, employment, and training services
9 for eligible food assistance program participants,
10 including but not limited to related dependent care and
11 transportation expenses.

12 (2) The department shall continue the categorical
13 federal food assistance program eligibility at 160
14 percent of the federal poverty level and continue to
15 eliminate the asset test from eligibility requirements,
16 consistent with federal food assistance program
17 requirements. The department shall include as many
18 food assistance households as is allowed by federal
19 law. The eligibility provisions shall conform to all
20 federal requirements including requirements addressing
21 individuals who are incarcerated or otherwise
22 ineligible.

23 e. For the JOBS program:

24 \$ ~~10,117,952~~
25 20,235,905

26 5. Of the child support collections assigned under
27 FIP, an amount equal to the federal share of support
28 collections shall be credited to the child support
29 recovery appropriation made in this division of this
30 Act. Of the remainder of the assigned child support
31 collections received by the child support recovery
32 unit, a portion shall be credited to the FIP account,
33 a portion may be used to increase recoveries, and a
34 portion may be used to sustain cash flow in the child
35 support payments account. If as a consequence of the
36 appropriations and allocations made in this section
37 the resulting amounts are insufficient to sustain
38 cash assistance payments and meet federal maintenance
39 of effort requirements, the department shall seek
40 supplemental funding. If child support collections
41 assigned under FIP are greater than estimated or are
42 otherwise determined not to be required for maintenance
43 of effort, the state share of either amount may be
44 transferred to or retained in the child support payment
45 account.

46 6. The department may adopt emergency rules for
47 the family investment, JOBS, food stamp, and medical
48 assistance programs if necessary to comply with federal
49 requirements.

50 Sec. 7. 2011 Iowa Acts, chapter 129, section 119,

1 is amended to read as follows:

2 SEC. 119. FAMILY INVESTMENT PROGRAM GENERAL

3 FUND. There is appropriated from the general fund of
4 the state to the department of human services for the
5 fiscal year beginning July 1, 2012, and ending June 30,
6 2013, the following amount, or so much thereof as is
7 necessary, to be used for the purpose designated:

8 To be credited to the family investment program
9 (FIP) account and used for family investment program
10 assistance under chapter 239B:

11	\$ 25,085,513
12	<u>45,286,573</u>

13 1. Of the funds appropriated in this section,
14 ~~-\$3,912,188~~ \$7,824,377 is allocated for the JOBS
15 program.

16 2. Of the funds appropriated in this section,
17 ~~-\$1,231,927~~ \$2,463,854 is allocated for the family
18 development and self-sufficiency grant program.

19 3. Notwithstanding section 8.39, for the fiscal
20 year beginning July 1, 2012, if necessary to meet
21 federal maintenance of effort requirements or to
22 transfer federal temporary assistance for needy
23 families block grant funding to be used for purposes
24 of the federal social services block grant or to meet
25 cash flow needs resulting from delays in receiving
26 federal funding or to implement, in accordance with
27 this division of this Act, activities currently funded
28 with juvenile court services, county, or community
29 moneys and state moneys used in combination with such
30 moneys, the department of human services may transfer
31 funds within or between any of the appropriations made
32 in this division of this Act and appropriations in law
33 for the federal social services block grant to the
34 department for the following purposes, provided that
35 the combined amount of state and federal temporary
36 assistance for needy families block grant funding for
37 each appropriation remains the same before and after
38 the transfer:

- 39 a. For the family investment program.
 - 40 b. For child care assistance.
 - 41 c. For child and family services.
 - 42 d. For field operations.
 - 43 e. For general administration.
 - 44 f. ~~MH/MR/DD/BI community services (local purchase).~~
- 45 For distribution to counties for state case services
46 for persons with mental illness, an intellectual
47 disability, or a developmental disability in accordance
48 with section 331.440.

49 This subsection shall not be construed to prohibit
50 the use of existing state transfer authority for other

1 purposes. The department shall report any transfers
2 made pursuant to this subsection to the legislative
3 services agency.

4 4. Of the funds appropriated in this section,
5 ~~-\$97,839~~ \$195,678 shall be used for continuation of a
6 grant to an Iowa-based nonprofit organization with a
7 history of providing tax preparation assistance to
8 low-income Iowans in order to expand the usage of the
9 earned income tax credit. The purpose of the grant is
10 to supply this assistance to underserved areas of the
11 state.

12 5. The amount appropriated in this section reflects
13 a reduction in expenditures for office supplies,
14 purchases of equipment, office equipment, printing and
15 binding, and marketing, that shall be applied equitably
16 to the programs under this section.

17 6. The department may transfer funds appropriated
18 in this section to the appropriations made in this
19 division of this Act for general administration and
20 field operations as necessary to administer this
21 section and the overall family investment program.

22 Sec. 8. 2011 Iowa Acts, chapter 129, section 120,
23 is amended to read as follows:

24 SEC. 120. CHILD SUPPORT RECOVERY. There is
25 appropriated from the general fund of the state to
26 the department of human services for the fiscal year
27 beginning July 1, 2012, and ending June 30, 2013, the
28 following amount, or so much thereof as is necessary,
29 to be used for the purposes designated:

30 For child support recovery, including salaries,
31 support, maintenance, and miscellaneous purposes, and
32 for not more than the following full-time equivalent
33 positions:

34	\$	6,559,627
35		<u>12,549,560</u>
36	FTEs	475.00

37 1. The department shall expend up to ~~-\$12,164~~
38 \$24,329, including federal financial participation, for
39 the fiscal year beginning July 1, 2012, for a child
40 support public awareness campaign. The department and
41 the office of the attorney general shall cooperate in
42 continuation of the campaign. The public awareness
43 campaign shall emphasize, through a variety of media
44 activities, the importance of maximum involvement of
45 both parents in the lives of their children as well as
46 the importance of payment of child support obligations.

47 2. Federal access and visitation grant moneys shall
48 be issued directly to private not-for-profit agencies
49 that provide services designed to increase compliance
50 with the child access provisions of court orders,

1 including but not limited to neutral visitation sites
2 and mediation services.

3 3. The appropriation made to the department for
4 child support recovery may be used throughout the
5 fiscal year in the manner necessary for purposes of
6 cash flow management, and for cash flow management
7 purposes the department may temporarily draw more
8 than the amount appropriated, provided the amount
9 appropriated is not exceeded at the close of the fiscal
10 year.

11 4. With the exception of the funding amount
12 specified, the requirements established under 2001
13 Iowa Acts, chapter 191, section 3, subsection 5,
14 paragraph "c", subparagraph (3), shall be applicable
15 to parental obligation pilot projects for the fiscal
16 year beginning July 1, 2012, and ending June 30,
17 2013. Notwithstanding 441 IAC 100.8, providing for
18 termination of rules relating to the pilot projects,
19 the rules shall remain in effect until June 30, 2013.

20 5. The amount appropriated in this section reflects
21 a reduction in expenditures for office supplies,
22 purchases of equipment, office equipment, printing and
23 binding, and marketing.

24 MEDICAL ASSISTANCE PROGRAM

25 Sec. 9. 2011 Iowa Acts, chapter 129, section 122,
26 unnumbered paragraph 2, is amended to read as follows:

27 For medical assistance program reimbursement and
28 associated costs as specifically provided in the
29 reimbursement methodologies in effect on June 30,
30 2012, except as otherwise expressly authorized by
31 law, and consistent with options under federal law and
32 regulations:

33 ~~\$914,993,421~~
34 950,526,658

35 MEDICAL ASSISTANCE ---- DISPROPORTIONATE SHARE HOSPITAL

36 Sec. 10. 2011 Iowa Acts, chapter 129, section 122,
37 subsection 11, paragraph a, unnumbered paragraph 1, is
38 amended to read as follows:

39 Of the funds appropriated in this section,
40 ~~-\$7,425,684~~ \$7,678,245 is allocated for the state
41 match for a disproportionate share hospital payment
42 of \$19,133,430 to hospitals that meet both of the
43 conditions specified in subparagraphs (1) and (2).
44 In addition, the hospitals that meet the conditions
45 specified shall either certify public expenditures
46 or transfer to the medical assistance program an
47 amount equal to provide the nonfederal share for a
48 disproportionate share hospital payment of \$7,500,000.
49 The hospitals that meet the conditions specified
50 shall receive and retain 100 percent of the total

1 disproportionate share hospital payment of \$26,633,430.

2 MEDICAL ASSISTANCE ---- IOWACARE TRANSFER

3 Sec. 11. 2011 Iowa Acts, chapter 129, section 122,
4 subsection 13, is amended to read as follows:

5 13. Of the funds appropriated in this section,
6 up to ~~-\$4,480,304~~ \$8,684,329 may be transferred to the
7 IowaCare account created in section 249J.24.

8 MEDICAL ASSISTANCE ---- COST CONTAINMENT STRATEGIES

9 Sec. 12. 2011 Iowa Acts, chapter 129, section 122,
10 subsection 20, paragraphs a and d, are amended to read
11 as follows:

12 a. The department may continue to implement cost
13 containment strategies recommended by the governor, ~~and~~
14 for the fiscal year beginning July 1, 2011, and shall
15 implement new strategies for the fiscal year beginning
16 July 1, 2012, as specified in this division of this
17 2012 Act. It is the intent of the general assembly
18 that the cost containment strategies are implemented
19 only to the extent necessary to achieve projected
20 savings. The department may adopt emergency rules for
21 such implementation.

22 d. If the savings to the medical assistance program
23 for the fiscal year beginning July 1, 2012, exceed
24 the cost, the department may transfer any savings
25 generated for the fiscal year due to medical assistance
26 program cost containment efforts initiated pursuant
27 to 2010 Iowa Acts, chapter 1031, Executive Order No.
28 20, issued December 16, 2009, or cost containment
29 strategies initiated pursuant to this subsection, to
30 the appropriation made in this division of this Act
31 for medical contracts or general administration to
32 defray the increased contract costs associated with
33 implementing such efforts.

34 Sec. 13. 2011 Iowa Acts, chapter 129, section 122,
35 is amended by adding the following new subsections:

36 NEW SUBSECTION. 23. The department shall align
37 reimbursement for prescription drugs administered by a
38 physician to be equivalent to the reimbursement for the
39 same prescription drug when dispensed by a pharmacy.

40 NEW SUBSECTION. 24. The department shall implement
41 a hospital inpatient reimbursement policy to provide
42 for the combining of an original claim for an inpatient
43 stay with a claim for a subsequent inpatient stay when
44 the patient is admitted within seven days of discharge
45 from the original hospital stay for the same condition.

46 NEW SUBSECTION. 25. The department shall
47 transition payment for and administration of services
48 provided by psychiatric medical institutions for
49 children to the Iowa plan.

50 NEW SUBSECTION. 26. The department shall adjust

1 medical assistance reimbursement rates for physician
2 services by applying a site-of-service differential to
3 reflect the difference between the cost of physician
4 services when provided in a health facility setting
5 and the cost of physician services when provided in a
6 physician's office. The adjustment shall be applied
7 in a manner that does not exceed \$1 million in medical
8 assistance program cost savings annually.

9 NEW SUBSECTION. 27. The amount appropriated in
10 this section reflects a reduction in expenditures
11 for office supplies, purchases of equipment, office
12 equipment, printing and binding, and marketing, that
13 shall be applied equitably to the programs under this
14 section.

15 MEDICAL ASSISTANCE FOR EMPLOYED PEOPLE WITH
16 DISABILITIES

17 Sec. 14. 2011 Iowa Acts, chapter 129, section 122,
18 is amended by adding the following new subsection:

19 NEW SUBSECTION. 28. The department of human
20 services shall adopt rules for the Medicaid for
21 employed people with disabilities program to provide
22 that until such time as the department adopts
23 rules, annually, to implement the most recently
24 revised poverty guidelines published by the United
25 States department of health and human services, the
26 calculation of gross income eligibility and premium
27 amounts shall not include any increase in unearned
28 income attributable to a social security cost-of-living
29 adjustment for an individual or member of the
30 individual's family whose unearned income is included
31 in such calculation.

32 OUTPATIENT CLINICAL SERVICE FOR CHILDREN

33 Sec. 15. 2011 Iowa Acts, chapter 129, section 122,
34 is amended by adding the following new subsection:

35 NEW SUBSECTION. 29. a. Of the funds appropriated
36 in this section, not more than \$50,000 shall be used
37 to provide cost-based reimbursement for 100 percent
38 of the reasonable costs for provision of outpatient
39 clinical services for children who are recipients
40 of medical assistance. In order to be eligible for
41 reimbursement under this subsection, a provider shall
42 be an accredited, nonprofit agency that meets all of
43 the following criteria on or before January 1, 2012:

44 (1) Provides clinical outpatient services to
45 children of whom at least 60 percent are recipients of
46 medical assistance.

47 (2) Provides inpatient services licensed under
48 chapter 135H, outpatient services, psychiatric
49 and psychological services, and behavioral health
50 intervention services for children.

1 (3) Directly employs a full-time psychiatrist,
2 psychologist, and licensed therapist.

3 b. The department of human services shall seek
4 federal approval to amend the medical assistance
5 program state plan and shall amend the contract with
6 the department's managed care contractor for behavioral
7 health services under the medical assistance program to
8 provide reimbursement as specified in this subsection.
9 Implementation of this subsection is contingent
10 upon receipt of such federal approval and total
11 reimbursements are limited to the funding allocated
12 under this subsection.

13 c. For the purposes of this subsection, "outpatient
14 services" means psychiatric care, psychological care,
15 and treatment services, but does not include behavioral
16 health intervention services or child welfare
17 services as defined for existing providers under the
18 department's managed care contract for behavioral
19 health services.

20 STATE BALANCING INCENTIVE PAYMENTS PROGRAM

21 Sec. 16. 2011 Iowa Acts, chapter 129, section 122,
22 is amended by adding the following new subsection:

23 NEW SUBSECTION. 30. The funds received through
24 participation in the medical assistance state balancing
25 incentive payments program created pursuant to section
26 10202 of the federal Patient Protection and Affordable
27 Care Act of 2010, Pub. L. No. 111-148 (2010), as
28 amended by the federal Health Care and Education
29 Reconciliation Act of 2010, Pub. L. No. 111-152,
30 shall be used by the department of human services to
31 comply with the requirements of the program including
32 developing a no wrong door single entry point system;
33 providing a conflict-free case management system;
34 providing core standardized assessment instruments;
35 complying with data collection requirements relating to
36 services, quality, and outcomes; meeting the applicable
37 target spending percentage required under the program
38 to rebalance long-term care spending under the medical
39 assistance program between home and community-based
40 services and institution-based services; and for new or
41 expanded medical assistance program non-institutionally
42 based long-term care services and supports.

43 Sec. 17. 2011 Iowa Acts, chapter 129, section 123,
44 is amended to read as follows:

45 SEC. 123. MEDICAL CONTRACTS. There is appropriated
46 from the general fund of the state to the department of
47 human services for the fiscal year beginning July 1,
48 2012, and ending June 30, 2013, the following amount,
49 or so much thereof as is necessary, to be used for the
50 purpose designated:

1 For medical contracts:

2 \$ ~~5,453,728~~
 3 7,117,155

4 1. The department of inspections and appeals
 5 shall provide all state matching funds for survey and
 6 certification activities performed by the department
 7 of inspections and appeals. The department of human
 8 services is solely responsible for distributing the
 9 federal matching funds for such activities.

10 2. Of the funds appropriated in this section,
 11 ~~\$25,000~~ \$50,000 shall be used for continuation of home
 12 and community-based services waiver quality assurance
 13 programs, including the review and streamlining of
 14 processes and policies related to oversight and quality
 15 management to meet state and federal requirements.

16 3. Of the amount appropriated in this section, up
 17 to \$200,000 may be transferred to the appropriation for
 18 general administration in this division of this Act to
 19 be used for additional full-time equivalent positions
 20 in the development of key health initiatives such as
 21 cost containment, development and oversight of managed
 22 care programs, and development of health strategies
 23 targeted toward improved quality and reduced costs in
 24 the Medicaid program.

25 4. The amount appropriated in this section reflects
 26 a reduction in expenditures for office supplies,
 27 purchases of equipment, office equipment, printing and
 28 binding, and marketing budgeted for under this section.

29 Sec. 18. 2011 Iowa Acts, chapter 129, section 124,
 30 is amended to read as follows:

31 SEC. 124. STATE SUPPLEMENTARY ASSISTANCE.

32 1. There is appropriated from the general fund of
 33 the state to the department of human services for the
 34 fiscal year beginning July 1, 2012, and ending June 30,
 35 2013, the following amount, or so much thereof as is
 36 necessary, to be used for the purpose designated:

37 For the state supplementary assistance program:
 38 \$ ~~8,425,373~~
 39 15,450,747

40 2. The department shall increase the personal needs
 41 allowance for residents of residential care facilities
 42 by the same percentage and at the same time as federal
 43 supplemental security income and federal social
 44 security benefits are increased due to a recognized
 45 increase in the cost of living. The department may
 46 adopt emergency rules to implement this subsection.

47 3. If during the fiscal year beginning July 1,
 48 2012, the department projects that state supplementary
 49 assistance expenditures for a calendar year will not
 50 meet the federal pass-through requirement specified

1 in Tit. XVI of the federal Social Security Act,
 2 section 1618, as codified in 42 U.S.C. { 1382g,
 3 the department may take actions including but not
 4 limited to increasing the personal needs allowance
 5 for residential care facility residents and making
 6 programmatic adjustments or upward adjustments of the
 7 residential care facility or in-home health-related
 8 care reimbursement rates prescribed in this division of
 9 this Act to ensure that federal requirements are met.
 10 In addition, the department may make other programmatic
 11 and rate adjustments necessary to remain within the
 12 amount appropriated in this section while ensuring
 13 compliance with federal requirements. The department
 14 may adopt emergency rules to implement the provisions
 15 of this subsection.

16 Sec. 19. 2011 Iowa Acts, chapter 129, section 125,
 17 is amended to read as follows:

18 SEC. 125. CHILDREN'S HEALTH INSURANCE PROGRAM.

19 1. There is appropriated from the general fund of
 20 the state to the department of human services for the
 21 fiscal year beginning July 1, 2012, and ending June 30,
 22 2013, the following amount, or so much thereof as is
 23 necessary, to be used for the purpose designated:

24 For maintenance of the healthy and well kids in Iowa
 25 (hawk-i) program pursuant to chapter 514I, including
 26 supplemental dental services, for receipt of federal
 27 financial participation under Tit. XXI of the federal
 28 Social Security Act, which creates the children's
 29 health insurance program:

30 \$ ~~16,403,051~~
 31 36,806,102

32 2. Of the funds appropriated in this section,
 33 ~~\$64,475~~ \$141,450 is allocated for continuation of the
 34 contract for outreach with the department of public
 35 health.

36 Sec. 20. 2011 Iowa Acts, chapter 129, section 126,
 37 is amended to read as follows:

38 SEC. 126. CHILD CARE ASSISTANCE. There is
 39 appropriated from the general fund of the state to
 40 the department of human services for the fiscal year
 41 beginning July 1, 2012, and ending June 30, 2013, the
 42 following amount, or so much thereof as is necessary,
 43 to be used for the purpose designated:

44 For child care programs:

45 \$ ~~26,618,831~~
 46 61,064,552

47 1. Of the funds appropriated in this section,
 48 ~~\$25,948,041~~ \$59,695,125 shall be used for state child
 49 care assistance in accordance with section 237A.13.

50 2. Nothing in this section shall be construed or

1 is intended as or shall imply a grant of entitlement
2 for services to persons who are eligible for assistance
3 due to an income level consistent with the waiting
4 list requirements of section 237A.13. Any state
5 obligation to provide services pursuant to this section
6 is limited to the extent of the funds appropriated in
7 this section.

8 3. Of the funds appropriated in this section,
9 ~~\$216,226~~ \$432,453 is allocated for the statewide
10 program for child care resource and referral services
11 under section 237A.26. A list of the registered and
12 licensed child care facilities operating in the area
13 served by a child care resource and referral service
14 shall be made available to the families receiving state
15 child care assistance in that area.

16 4. Of the funds appropriated in this section,
17 ~~\$468,487~~ \$936,974 is allocated for child care quality
18 improvement initiatives including but not limited to
19 the voluntary quality rating system in accordance with
20 section 237A.30.

21 5. The department may use any of the funds
22 appropriated in this section as a match to obtain
23 federal funds for use in expanding child care
24 assistance and related programs. For the purpose of
25 expenditures of state and federal child care funding,
26 funds shall be considered obligated at the time
27 expenditures are projected or are allocated to the
28 department's service areas. Projections shall be based
29 on current and projected caseload growth, current and
30 projected provider rates, staffing requirements for
31 eligibility determination and management of program
32 requirements including data systems management,
33 staffing requirements for administration of the
34 program, contractual and grant obligations and any
35 transfers to other state agencies, and obligations for
36 decategorization or innovation projects.

37 6. A portion of the state match for the federal
38 child care and development block grant shall be
39 provided as necessary to meet federal matching
40 funds requirements through the state general fund
41 appropriation made for child development grants and
42 other programs for at-risk children in section 279.51.

43 7. If a uniform reduction ordered by the governor
44 under section 8.31 or other operation of law,
45 transfer, or federal funding reduction reduces the
46 appropriation made in this section for the fiscal year,
47 the percentage reduction in the amount paid out to or
48 on behalf of the families participating in the state
49 child care assistance program shall be equal to or
50 less than the percentage reduction made for any other

1 purpose payable from the appropriation made in this
2 section and the federal funding relating to it. The
3 percentage reduction to the other allocations made in
4 this section shall be the same as the uniform reduction
5 ordered by the governor or the percentage change of the
6 federal funding reduction, as applicable. If there is
7 an unanticipated increase in federal funding provided
8 for state child care assistance, the entire amount
9 of the increase shall be used for state child care
10 assistance payments. If the appropriations made for
11 purposes of the state child care assistance program for
12 the fiscal year are determined to be insufficient, it
13 is the intent of the general assembly to appropriate
14 sufficient funding for the fiscal year in order to
15 avoid establishment of waiting list requirements.

16 8. Notwithstanding section 8.33, moneys
17 appropriated in this section or advanced for purposes
18 of the programs developed by early childhood Iowa
19 areas, advanced for purposes of wraparound child care,
20 or received from the federal appropriations made for
21 the purposes of this section that remain unencumbered
22 or unobligated at the close of the fiscal year shall
23 not revert to any fund but shall remain available for
24 expenditure for the purposes designated until the close
25 of the succeeding fiscal year.

26 9. The amount appropriated in this section reflects
27 a reduction in expenditures for office supplies,
28 purchases of equipment, office equipment, printing and
29 binding, and marketing, that shall be applied equitably
30 to the programs under this section.

31 Sec. 21. 2011 Iowa Acts, chapter 129, section 127,
32 is amended to read as follows:

33 SEC. 127. JUVENILE INSTITUTIONS. There is
34 appropriated from the general fund of the state to
35 the department of human services for the fiscal year
36 beginning July 1, 2012, and ending June 30, 2013, the
37 following amounts, or so much thereof as is necessary,
38 to be used for the purposes designated:

39 1. For operation of the Iowa juvenile home at
40 Toledo and for salaries, support, maintenance, and
41 miscellaneous purposes, and for not more than the
42 following full-time equivalent positions:

43	\$	4,129,125
44		8,297,765
45	FTEs	114.00

46 The amount appropriated in this subsection reflects
47 a reduction in expenditures for office supplies,
48 purchases of equipment, office equipment, printing
49 and binding, and marketing budgeted for under this
50 subsection.

2. For operation of the state training school at Eldora and for salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	<u>5,319,338</u>
.....		<u>10,680,143</u>
..... FTEs		164.30

a. Of the funds appropriated in this subsection, ~~\$45,575~~ \$91,150 shall be used for distribution to licensed classroom teachers at this and other institutions under the control of the department of human services based upon the average student yearly enrollment at each institution as determined by the department.

b. The amount appropriated in this subsection reflects a reduction in expenditures for office supplies, purchases of equipment, office equipment, printing and binding, and marketing budgeted for under this subsection.

3. A portion of the moneys appropriated in this section shall be used by the state training school and by the Iowa juvenile home for grants for adolescent pregnancy prevention activities at the institutions in the fiscal year beginning July 1, 2012.

Sec. 22. 2011 Iowa Acts, chapter 129, section 128, is amended to read as follows:

SEC. 128. CHILD AND FAMILY SERVICES.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For child and family services:

.....	\$	<u>41,415,081</u>
.....		<u>79,721,886</u>

2. In order to address a reduction of \$5,200,000 from the amount allocated under the appropriation made for the purposes of this section in prior years for purposes of juvenile delinquent graduated sanction services, up to ~~\$2,600,000~~ \$5,200,000 of the amount of federal temporary assistance for needy families block grant funding appropriated in this division of this Act for child and family services shall be made available for purposes of juvenile delinquent graduated sanction services.

3. The department may transfer funds appropriated in this section as necessary to pay the nonfederal costs of services reimbursed under the medical assistance program, state child care assistance program, or the family investment program which are

1 provided to children who would otherwise receive
2 services paid under the appropriation in this section.
3 The department may transfer funds appropriated in this
4 section to the appropriations made in this division
5 of this Act for general administration and for field
6 operations for resources necessary to implement and
7 operate the services funded in this section. The
8 department may transfer funds appropriated in this
9 section to the appropriation made in this division of
10 this Act for adoption subsidy to support the adjustment
11 in reimbursement rates for specified child welfare
12 providers as provided in this 2012 Act.

13 4. a. Of the funds appropriated in this section,
14 up to ~~-\$15,084,564~~ \$30,837,098 is allocated as the
15 statewide expenditure target under section 232.143
16 for group foster care maintenance and services. If
17 the department projects that such expenditures for
18 the fiscal year will be less than the target amount
19 allocated in this lettered paragraph, the department
20 may reallocate the excess to provide additional
21 funding for shelter care or the child welfare emergency
22 services addressed with the allocation for shelter
23 care.

24 b. If at any time after September 30, 2012,
25 annualization of a service area's current expenditures
26 indicates a service area is at risk of exceeding its
27 group foster care expenditure target under section
28 232.143 by more than 5 percent, the department and
29 juvenile court services shall examine all group
30 foster care placements in that service area in order
31 to identify those which might be appropriate for
32 termination. In addition, any aftercare services
33 believed to be needed for the children whose
34 placements may be terminated shall be identified. The
35 department and juvenile court services shall initiate
36 action to set dispositional review hearings for the
37 placements identified. In such a dispositional review
38 hearing, the juvenile court shall determine whether
39 needed aftercare services are available and whether
40 termination of the placement is in the best interest of
41 the child and the community.

42 5. In accordance with the provisions of section
43 232.188, the department shall continue the child
44 welfare and juvenile justice funding initiative during
45 fiscal year 2012-2013. Of the funds appropriated
46 in this section, ~~-\$858,876~~ \$1,717,753 is allocated
47 specifically for expenditure for fiscal year 2012-2013
48 through the decategorization service funding pools
49 and governance boards established pursuant to section
50 232.188.

1 6. A portion of the funds appropriated in this
2 section may be used for emergency family assistance
3 to provide other resources required for a family
4 participating in a family preservation or reunification
5 project or successor project to stay together or to be
6 reunified.

7 7. Notwithstanding section 234.35 or any other
8 provision of law to the contrary, state funding for
9 shelter care and the child welfare emergency services
10 contracting implemented to provide for or prevent the
11 need for shelter care shall be limited to ~~-\$3,585,058~~
12 \$6,470,116. The department may continue or execute
13 contracts that result from the department's request for
14 proposal, bid number ACFS-11-114, to provide the range
15 of child welfare emergency services described in the
16 request for proposals, and any subsequent amendments to
17 the request for proposals.

18 8. Federal funds received by the state during
19 the fiscal year beginning July 1, 2012, as the
20 result of the expenditure of state funds appropriated
21 during a previous state fiscal year for a service or
22 activity funded under this section are appropriated
23 to the department to be used as additional funding
24 for services and purposes provided for under this
25 section. Notwithstanding section 8.33, moneys
26 received in accordance with this subsection that remain
27 unencumbered or unobligated at the close of the fiscal
28 year shall not revert to any fund but shall remain
29 available for the purposes designated until the close
30 of the succeeding fiscal year.

31 ~~9. Of the funds appropriated in this section, at~~
32 ~~least \$1,848,142 shall be used for protective child~~
33 ~~care assistance.~~

34 10. a. Of the funds appropriated in this section,
35 up to ~~-\$1,031,244~~ \$2,062,488 is allocated for the
36 payment of the expenses of court-ordered services
37 provided to juveniles who are under the supervision of
38 juvenile court services, which expenses are a charge
39 upon the state pursuant to section 232.141, subsection
40 4. Of the amount allocated in this lettered paragraph,
41 up to ~~-\$778,143~~ \$1,556,287 shall be made available
42 to provide school-based supervision of children
43 adjudicated under chapter 232, of which not more than
44 ~~-\$7,500~~ \$15,000 may be used for the purpose of training.
45 A portion of the cost of each school-based liaison
46 officer shall be paid by the school district or other
47 funding source as approved by the chief juvenile court
48 officer.

49 b. Of the funds appropriated in this section, up to
50 ~~-\$374,492~~ \$748,985 is allocated for the payment of the

1 expenses of court-ordered services provided to children
2 who are under the supervision of the department,
3 which expenses are a charge upon the state pursuant to
4 section 232.141, subsection 4.

5 c. Notwithstanding section 232.141 or any other
6 provision of law to the contrary, the amounts allocated
7 in this subsection shall be distributed to the
8 judicial districts as determined by the state court
9 administrator and to the department's service areas as
10 determined by the administrator of the department's
11 division of child and family services. The state court
12 administrator and the division administrator shall make
13 the determination of the distribution amounts on or
14 before June 15, 2012.

15 d. Notwithstanding chapter 232 or any other
16 provision of law to the contrary, a district or
17 juvenile court shall not order any service which is
18 a charge upon the state pursuant to section 232.141
19 if there are insufficient court-ordered services
20 funds available in the district court or departmental
21 service area distribution amounts to pay for the
22 service. The chief juvenile court officer and the
23 departmental service area manager shall encourage use
24 of the funds allocated in this subsection such that
25 there are sufficient funds to pay for all court-related
26 services during the entire year. The chief juvenile
27 court officers and departmental service area managers
28 shall attempt to anticipate potential surpluses and
29 shortfalls in the distribution amounts and shall
30 cooperatively request the state court administrator
31 or division administrator to transfer funds between
32 the judicial districts' or departmental service areas'
33 distribution amounts as prudent.

34 e. Notwithstanding any provision of law to the
35 contrary, a district or juvenile court shall not order
36 a county to pay for any service provided to a juvenile
37 pursuant to an order entered under chapter 232 which
38 is a charge upon the state under section 232.141,
39 subsection 4.

40 f. Of the funds allocated in this subsection, not
41 more than ~~-\$41,500~~ \$83,000 may be used by the judicial
42 branch for administration of the requirements under
43 this subsection.

44 g. Of the funds allocated in this subsection,
45 ~~-\$8,500~~ \$17,000 shall be used by the department of human
46 services to support the interstate commission for
47 juveniles in accordance with the interstate compact for
48 juveniles as provided in section 232.173.

49 11. Of the funds appropriated in this section,
50 ~~-\$2,961,301~~ \$5,922,602 is allocated for juvenile

1 delinquent graduated sanctions services. Any state
 2 funds saved as a result of efforts by juvenile court
 3 services to earn federal Tit. IV-E match for juvenile
 4 court services administration may be used for the
 5 juvenile delinquent graduated sanctions services.

6 12. Of the funds appropriated in this section,
 7 ~~\$494,142~~ \$1,088,285 shall be transferred to the
 8 department of public health to be used for the child
 9 protection center grant program in accordance with
 10 section 135.118. Of the amount allocated in this
 11 subsection, \$100,000 shall be used for a center for the
 12 Black Hawk county area.

13 13. If the department receives federal approval
 14 to implement a waiver under Tit. IV-E of the federal
 15 Social Security Act to enable providers to serve
 16 children who remain in the children's families and
 17 communities, for purposes of eligibility under the
 18 medical assistance program, children who participate in
 19 the waiver shall be considered to be placed in foster
 20 care.

21 14. Of the funds appropriated in this section,
 22 ~~\$1,534,916~~ \$3,092,375 is allocated for the preparation
 23 for adult living program pursuant to section 234.46.

24 15. Of the funds appropriated in this section,
 25 ~~\$260,075~~ \$520,150 shall be used for juvenile drug
 26 courts. The amount allocated in this subsection shall
 27 be distributed as follows:

28 To the judicial branch for salaries to assist with
 29 the operation of juvenile drug court programs operated
 30 in the following jurisdictions:

31 a. Marshall county:	
32	\$ 31,354
33	<u>62,708</u>
34 b. Woodbury county:	
35	\$ 62,841
36	<u>125,682</u>
37 c. Polk county:	
38	\$ 97,946
39	<u>195,892</u>
40 d. The third judicial district:	
41	\$ 33,967
42	<u>67,934</u>
43 e. The eighth judicial district:	
44	\$ 33,967
45	<u>67,934</u>

46 16. Of the funds appropriated in this section,
 47 ~~\$113,668~~ \$227,337 shall be used for the public purpose
 48 of ~~providing~~ continuing a grant to a nonprofit human
 49 services organization providing services to individuals
 50 and families in multiple locations in southwest

1 Iowa and Nebraska for support of a project providing
2 immediate, sensitive support and forensic interviews,
3 medical exams, needs assessments, and referrals for
4 victims of child abuse and their nonoffending family
5 members.

6 17. Of the funds appropriated in this section,
7 ~~-\$62,795~~ \$125,590 is allocated for the elevate foster
8 care youth council approach of providing a support
9 network to children placed in foster care.

10 18. Of the funds appropriated in this section,
11 ~~-\$101,000~~ \$202,000 is allocated for use pursuant to
12 section 235A.1 for continuation of the initiative to
13 address child sexual abuse implemented pursuant to 2007
14 Iowa Acts, chapter 218, section 18, subsection 21.

15 19. Of the funds appropriated in this section,
16 ~~-\$315,120~~ \$630,240 is allocated for the community
17 partnership for child protection sites.

18 20. Of the funds appropriated in this section,
19 ~~-\$185,625~~ \$371,250 is allocated for the department's
20 minority youth and family projects under the redesign
21 of the child welfare system.

22 21. Of the funds appropriated in this section,
23 ~~-\$600,247~~ \$1,436,595 is allocated for funding of the
24 state match for community circle of care collaboration
25 for children and youth in northeast Iowa, formerly
26 referred to as the federal substance abuse and mental
27 health services administration (SAMHSA) system of care
28 grant.

29 22. Of the funds appropriated in this section, at
30 least ~~-\$73,579~~ \$147,158 shall be used for the child
31 welfare training academy.

32 23. Of the funds appropriated in this section,
33 ~~-\$12,500~~ \$25,000 shall be used for the public purpose
34 of continuation of a grant to a child welfare services
35 provider headquartered in a county with a population
36 between 205,000 and 215,000 in the latest certified
37 federal census that provides multiple services
38 including but not limited to a psychiatric medical
39 institution for children, shelter, residential
40 treatment, after school programs, school-based
41 programming, and an Asperger's syndrome program, to
42 be used for support services for children with autism
43 spectrum disorder and their families.

44 24. Of the funds appropriated in this section
45 ~~-\$125,000~~ \$327,947 shall be used for continuation of the
46 central Iowa system of care program grant through June
47 30, 2013.

48 25. Of the funds appropriated in this section,
49 ~~-\$80,000~~ \$160,000 shall be used for the public
50 purpose of the continuation of a system of care

1 grant implemented in Cerro Gordo and Linn counties in
2 accordance with this Act in FY 2011-2012.

3 26. Of the funds appropriated in this section,
4 at least \$25,000 shall be used to continue and to
5 expand the foster care respite program in which
6 postsecondary students in social work and other human
7 services-related programs receive experience by
8 assisting family foster care providers with respite and
9 other support.

10 27. The amount appropriated in this section
11 reflects a reduction in expenditures for office
12 supplies, purchases of equipment, office equipment,
13 printing and binding, and marketing, and shall be
14 applied equitably to the programs under this section.

15 Sec. 23. 2011 Iowa Acts, chapter 129, section 129,
16 is amended to read as follows:

17 SEC. 129. ADOPTION SUBSIDY.

18 1. There is appropriated from the general fund of
19 the state to the department of human services for the
20 fiscal year beginning July 1, 2012, and ending June 30,
21 2013, the following amount, or so much thereof as is
22 necessary, to be used for the purpose designated:

23 For adoption subsidy payments and services:

24 \$ ~~16,633,295~~
25 37,788,576

26 2. The department may transfer funds appropriated
27 in this section to the appropriation made in this
28 division of this Act for general administration
29 for costs paid from the appropriation relating to
30 adoption subsidy. The department may transfer funds
31 appropriated in this section to the appropriation
32 made in this division of this Act for child and family
33 services to support the adjustment in reimbursement
34 rates for specified child welfare providers as provided
35 in this 2012 Act.

36 3. Federal funds received by the state during the
37 fiscal year beginning July 1, 2012, as the result of
38 the expenditure of state funds during a previous state
39 fiscal year for a service or activity funded under
40 this section are appropriated to the department to
41 be used as additional funding for the services and
42 activities funded under this section. Notwithstanding
43 section 8.33, moneys received in accordance with this
44 subsection that remain unencumbered or unobligated at
45 the close of the fiscal year shall not revert to any
46 fund but shall remain available for expenditure for the
47 purposes designated until the close of the succeeding
48 fiscal year.

49 Sec. 24. 2011 Iowa Acts, chapter 129, section 131,
50 is amended to read as follows:

1 SEC. 131. FAMILY SUPPORT SUBSIDY PROGRAM.

2 1. There is appropriated from the general fund of
3 the state to the department of human services for the
4 fiscal year beginning July 1, 2012, and ending June 30,
5 2013, the following amount, or so much thereof as is
6 necessary, to be used for the purpose designated:

7 For the family support subsidy program subject
8 to the enrollment restrictions in section 225C.37,
9 subsection 3:

10	\$	583,999
11		<u>1,096,784</u>

12 2. The department shall use at least ~~-\$192,750~~
13 \$385,500 of the moneys appropriated in this section
14 for the family support center component of the
15 comprehensive family support program under section
16 225C.47. Not more than ~~-\$12,500~~ \$25,000 of the
17 amount allocated in this subsection shall be used for
18 administrative costs.

19 3. If at any time during the fiscal year, the
20 amount of funding available for the family support
21 subsidy program is reduced from the amount initially
22 used to establish the figure for the number of family
23 members for whom a subsidy is to be provided at any one
24 time during the fiscal year, notwithstanding section
25 225C.38, subsection 2, the department shall revise the
26 figure as necessary to conform to the amount of funding
27 available.

28 Sec. 25. 2011 Iowa Acts, chapter 129, section 132,
29 is amended to read as follows:

30 SEC. 132. CONNER DECREE. There is appropriated
31 from the general fund of the state to the department of
32 human services for the fiscal year beginning July 1,
33 2012, and ending June 30, 2013, the following amount,
34 or so much thereof as is necessary, to be used for the
35 purpose designated:

36 For building community capacity through the
37 coordination and provision of training opportunities
38 in accordance with the consent decree of Conner v.
39 Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):

40	\$	16,811
41		<u>33,622</u>

42 Sec. 26. 2011 Iowa Acts, chapter 129, section 133,
43 is amended to read as follows:

44 SEC. 133. MENTAL HEALTH INSTITUTES. There is
45 appropriated from the general fund of the state to
46 the department of human services for the fiscal year
47 beginning July 1, 2012, and ending June 30, 2013, the
48 following amounts, or so much thereof as is necessary,
49 to be used for the purposes designated:

50 1. For the state mental health institute at

1 Cherokee for salaries, support, maintenance, and
 2 miscellaneous purposes, and for not more than the
 3 following full-time equivalent positions:

4	\$	2,938,654
5		5,535,738
6	FTEs	168.50

7 The amount appropriated in this subsection reflects
 8 a reduction in expenditures for office supplies,
 9 purchases of equipment, office equipment, printing and
 10 binding, and marketing under the purview of the mental
 11 health institute.

12 2. For the state mental health institute at
 13 Clarinda for salaries, support, maintenance, and
 14 miscellaneous purposes, and for not more than the
 15 following full-time equivalent positions:

16	\$	3,205,867
17		6,442,688
18	FTEs	86.10

19 The amount appropriated in this subsection reflects
 20 a reduction in expenditures for office supplies,
 21 purchases of equipment, office equipment, printing and
 22 binding, and marketing under the purview of the mental
 23 health institute.

24 3. For the state mental health institute at
 25 Independence for salaries, support, maintenance, and
 26 miscellaneous purposes, and for not more than the
 27 following full-time equivalent positions:

28	\$	5,137,842
29		9,738,520
30	FTEs	233.00

31 The amount appropriated in this subsection reflects
 32 a reduction in expenditures for office supplies,
 33 purchases of equipment, office equipment, printing and
 34 binding, and marketing under the purview of the mental
 35 health institute.

36 4. For the state mental health institute at Mount
 37 Pleasant for salaries, support, maintenance, and
 38 miscellaneous purposes, and for not more than the
 39 following full-time equivalent positions:

40	\$	472,161
41		885,459
42	FTEs	97.72

43 The amount appropriated in this subsection reflects
 44 a reduction in expenditures for office supplies,
 45 purchases of equipment, office equipment, printing and
 46 binding, and marketing under the purview of the mental
 47 health institute.

48 Sec. 27. 2011 Iowa Acts, chapter 129, section 134,
 49 is amended to read as follows:

50 SEC. 134. STATE RESOURCE CENTERS.

1 1. There is appropriated from the general fund of
2 the state to the department of human services for the
3 fiscal year beginning July 1, 2012, and ending June 30,
4 2013, the following amounts, or so much thereof as is
5 necessary, to be used for the purposes designated:

6 a. For the state resource center at Glenwood for
7 salaries, support, maintenance, and miscellaneous
8 purposes:

9 \$ ~~9,253,900~~
10 18,866,116

11 The amount appropriated in this paragraph "a"
12 reflects a reduction in expenditures for office
13 supplies, purchases of equipment, office equipment,
14 printing and binding, and marketing under the purview
15 of the resource center.

16 b. For the state resource center at Woodward for
17 salaries, support, maintenance, and miscellaneous
18 purposes:

19 \$ ~~6,392,829~~
20 13,033,115

21 The amount appropriated in this paragraph "b"
22 reflects a reduction in expenditures for office
23 supplies, purchases of equipment, office equipment,
24 printing and binding, and marketing under the purview
25 of the resource center.

26 2. The department may continue to bill for state
27 resource center services utilizing a scope of services
28 approach used for private providers of ICFMR services,
29 in a manner which does not shift costs between the
30 medical assistance program, counties, or other sources
31 of funding for the state resource centers.

32 3. The state resource centers may expand the
33 time-limited assessment and respite services during the
34 fiscal year.

35 4. If the department's administration and the
36 department of management concur with a finding by a
37 state resource center's superintendent that projected
38 revenues can reasonably be expected to pay the salary
39 and support costs for a new employee position, or
40 that such costs for adding a particular number of new
41 positions for the fiscal year would be less than the
42 overtime costs if new positions would not be added, the
43 superintendent may add the new position or positions.
44 If the vacant positions available to a resource center
45 do not include the position classification desired to
46 be filled, the state resource center's superintendent
47 may reclassify any vacant position as necessary to
48 fill the desired position. The superintendents of the
49 state resource centers may, by mutual agreement, pool
50 vacant positions and position classifications during

1 the course of the fiscal year in order to assist one
2 another in filling necessary positions.

3 5. If existing capacity limitations are reached
4 in operating units, a waiting list is in effect
5 for a service or a special need for which a payment
6 source or other funding is available for the service
7 or to address the special need, and facilities for
8 the service or to address the special need can be
9 provided within the available payment source or other
10 funding, the superintendent of a state resource center
11 may authorize opening not more than two units or
12 other facilities and begin implementing the service
13 or addressing the special need during fiscal year
14 2012-2013.

15 Sec. 28. 2011 Iowa Acts, chapter 129, section 135,
16 is amended to read as follows:

17 SEC. 135. MI/MR/DD STATE CASES.

18 1. There is appropriated from the general fund of
19 the state to the department of human services for the
20 fiscal year beginning July 1, 2012, and ending June 30,
21 2013, the following amount, or so much thereof as is
22 necessary, to be used for the purpose designated:

23 For distribution to counties for state case services
24 for persons with mental illness, mental retardation,
25 and developmental disabilities in accordance with
26 section 331.440:

27 \$ ~~6,084,741~~
28 11,150,820

29 2. For the fiscal year beginning July 1, 2012, and
30 ending June 30, 2013, ~~-\$100,000~~ \$200,000 is allocated
31 for state case services from the amounts appropriated
32 from the fund created in section 8.41 to the department
33 of human services from the funds received from the
34 federal government under 42 U.S.C. ch. 6A, subch. XVII,
35 relating to the community mental health center block
36 grant, for the federal fiscal years beginning October
37 1, 2010, and ending September 30, 2011, beginning
38 October 1, 2011, and ending September 30, 2012, and
39 beginning October 1, 2012, and ending September 30,
40 2013. The allocation made in this subsection shall be
41 made prior to any other distribution allocation of the
42 appropriated federal funds.

43 3. Notwithstanding section 8.33, moneys
44 appropriated in this section that remain unencumbered
45 or unobligated at the close of the fiscal year shall
46 not revert but shall remain available for expenditure
47 for the purposes designated until the close of the
48 succeeding fiscal year.

49 Sec. 29. 2011 Iowa Acts, chapter 129, section 137,
50 is amended to read as follows:

1 SEC. 137. SEXUALLY VIOLENT PREDATORS.

2 1. There is appropriated from the general fund of
3 the state to the department of human services for the
4 fiscal year beginning July 1, 2012, and ending June 30,
5 2013, the following amount, or so much thereof as is
6 necessary, to be used for the purpose designated:

7 For costs associated with the commitment and	
8 treatment of sexually violent predators in the unit	
9 located at the state mental health institute at	
10 Cherokee, including costs of legal services and	
11 other associated costs, including salaries, support,	
12 maintenance, and miscellaneous purposes, and for not	
13 more than the following full-time equivalent positions:	
14	\$ 3,775,363
15	<u>9,099,686</u>
16 FTEs	<u>89.50</u>
17	<u>115.50</u>

18 2. Unless specifically prohibited by law, if the
19 amount charged provides for recoupment of at least
20 the entire amount of direct and indirect costs, the
21 department of human services may contract with other
22 states to provide care and treatment of persons placed
23 by the other states at the unit for sexually violent
24 predators at Cherokee. The moneys received under such
25 a contract shall be considered to be repayment receipts
26 and used for the purposes of the appropriation made in
27 this section.

28 Sec. 30. 2011 Iowa Acts, chapter 129, section 138,
29 is amended to read as follows:

30 SEC. 138. FIELD OPERATIONS. There is appropriated
31 from the general fund of the state to the department of
32 human services for the fiscal year beginning July 1,
33 2012, and ending June 30, 2013, the following amount,
34 or so much thereof as is necessary, to be used for the
35 purposes designated:

36 For field operations, including salaries, support,	
37 maintenance, and miscellaneous purposes, and for not	
38 more than the following full-time equivalent positions:	
39	\$ 27,394,960
40	<u>60,355,400</u>
41 FTEs	<u>1,781.00</u>

42 Priority in filling full-time equivalent positions
43 shall be given to those positions related to child
44 protection services and eligibility determination for
45 low-income families.

46 The amount appropriated in this section reflects
47 a reduction in expenditures for office supplies,
48 purchases of equipment, office equipment, printing
49 and binding, and marketing under the purview of the
50 department.

1 Sec. 31. 2011 Iowa Acts, chapter 129, section 139,
2 is amended to read as follows:

3 SEC. 139. GENERAL ADMINISTRATION. There is
4 appropriated from the general fund of the state to
5 the department of human services for the fiscal year
6 beginning July 1, 2012, and ending June 30, 2013, the
7 following amount, or so much thereof as is necessary,
8 to be used for the purpose designated:

9 For general administration, including salaries,
10 support, maintenance, and miscellaneous purposes, and
11 for not more than the following full-time equivalent
12 positions:

13	\$	7,298,372
14		<u>15,096,744</u>
15	FTEs	285.00
16		<u>295.00</u>

17 1. Of the funds appropriated in this section,
18 ~~\$19,271~~ \$38,543 allocated for the prevention of
19 disabilities policy council established in section
20 225B.3.

21 2. The department shall report at least monthly
22 to the legislative services agency concerning the
23 department's operational and program expenditures.

24 3. Of the funds appropriated in this section,
25 ~~\$66,150~~ \$132,300 shall be used to continue the contract
26 for the provision of a program to provide technical
27 assistance, support, and consultation to providers of
28 habilitation services and home and community-based
29 services waiver services for adults with disabilities
30 under the medical assistance program.

31 4. Of the funds appropriated in this section,
32 ~~\$88,200~~ \$176,400 shall be used to continue the contract
33 to expand the provision of nationally accredited and
34 recognized internet-based training to include mental
35 health and disability services providers.

36 ~~5. Of the funds appropriated in this section,~~
37 ~~\$250,000 shall be used for continuation of child~~
38 ~~protection system improvements addressed in 2011 Iowa~~
39 ~~Acts, House File 562, as enacted.~~

40 6. Of the funds appropriated in this section,
41 \$500,000 shall be used for implementation of 2012 Iowa
42 Acts, House File 2422, if enacted.

43 Sec. 32. 2011 Iowa Acts, chapter 129, section 140,
44 is amended to read as follows:

45 SEC. 140. VOLUNTEERS. There is appropriated from
46 the general fund of the state to the department of
47 human services for the fiscal year beginning July 1,
48 2012, and ending June 30, 2013, the following amount,
49 or so much thereof as is necessary, to be used for the
50 purpose designated:

1 For development and coordination of volunteer
2 services:

3 \$ 42,330
4 84,660

5 PROVIDER REIMBURSEMENT ---- NURSING FACILITIES

6 Sec. 33. 2011 Iowa Acts, chapter 129, section 141,
7 subsection 1, paragraph a, subparagraph (1), is amended
8 to read as follows:

9 (1) For the fiscal year beginning July 1, 2012, the
10 total state funding amount for the nursing facility
11 budget shall not exceed ~~-\$225,457,724~~ \$237,226,901.

12 PROVIDER REIMBURSEMENT ---- PHARMACY AND PMICS

13 Sec. 34. 2011 Iowa Acts, chapter 129, section 141,
14 subsection 1, paragraphs b and i, are amended to read
15 as follows:

16 b. (1) For the fiscal year beginning July
17 1, 2012, the department shall reimburse pharmacy
18 dispensing fees using a ~~single~~ rate ~~of~~ range between
19 \$4.34 per prescription or the pharmacy's usual and
20 customary fee, whichever is lower, and \$11.10 per
21 prescription. The actual dispensing fee set within
22 the range shall be determined by an annual cost of
23 dispensing survey performed by the department and
24 required to be completed by all medical assistance
25 program participating pharmacies. The department shall
26 also update the cost of dispensing calculations on a
27 regular basis. However, the department shall adjust
28 the dispensing fee specified in this paragraph to
29 distribute an additional \$2,981,980 in reimbursements
30 for pharmacy dispensing fees under this paragraph for
31 the fiscal year.

32 (2) The department shall implement an average
33 acquisition cost reimbursement methodology for all
34 drugs covered under the medical assistance program.
35 The methodology shall utilize a survey of pharmacy
36 invoices from a rotation of pharmacies in determining
37 the average acquisition cost component of pharmacy
38 reimbursement. Pharmacies and providers that are
39 enrolled in the medical assistance program shall make
40 available drug acquisition cost invoice information,
41 product availability information if known, and other
42 information deemed necessary by the department to
43 assist the department in monitoring and revising the
44 reimbursement rates and for efficient operation of
45 the pharmacy benefit. The department shall provide a
46 process for pharmacies to address average acquisition
47 cost prices that are not reflective of the actual cost
48 of a drug. With regard to specialty pharmacy products
49 as defined by the department, the department shall
50 consider the population served, the current delivery

1 system, and the standard of care relative to these
2 products, and may adjust the product reimbursement rate
3 or dispensing fee to prevent problems with access to
4 these products and their associated specialty services.

5 (a) A pharmacy or provider shall produce and submit
6 the requested information in the manner and format
7 requested by the department or its designee at no cost
8 to the department or its designee.

9 (b) A pharmacy or provider shall submit information
10 to the department or its designee within the time
11 frame indicated following receipt of a request for
12 information unless the department or its designee
13 grants an extension upon written request of the
14 pharmacy or provider.

15 i. (1) For the fiscal year beginning July 1,
16 2012, state-owned psychiatric medical institutions
17 for children shall receive cost-based reimbursement
18 for 100 percent of the actual and allowable costs for
19 the provision of services to recipients of medical
20 assistance.

21 (2) For the nonstate-owned psychiatric medical
22 institutions for children, reimbursement rates shall be
23 based on the reimbursement methodology developed by the
24 department as required for federal compliance.

25 (3) As a condition of participation in the medical
26 assistance program, enrolled providers shall accept the
27 medical assistance reimbursement rate for any covered
28 goods or services provided to recipients of medical
29 assistance who are children under the custody of a
30 psychiatric medical institution for children.

31 PROVIDER REIMBURSEMENT ---- SPECIFIED CHILD WELFARE

32 PROVIDERS

33 Sec. 35. 2011 Iowa Acts, chapter 129, section 141,
34 is amended by adding the following new subsection:

35 NEW SUBSECTION. 6A. For the fiscal year beginning
36 July 1, 2012, the department shall adjust the
37 foster family basic daily maintenance rate, the
38 maximum adoption subsidy rates for children, the
39 family-centered service providers rate, the family
40 foster care service providers rate, the group foster
41 care service providers rate, and the resource family
42 recruitment and retention contractor rate, as such
43 rates are identified in this section and were in effect
44 on June 30, 2012, in order to distribute an additional
45 \$1,535,256 in state reimbursements equitably to such
46 providers for the fiscal year.

47 REBASING STUDY ----

48 MEDICAID HOME HEALTH AND HCBS WAIVER SERVICES PROVIDERS

49 Sec. 35. 2011 Iowa Acts, chapter 129, section 141,
50 is amended by adding the following new subsection:

1 NEW SUBSECTION. 10A. The department of human
 2 services, Iowa Medicaid enterprise, shall review
 3 reimbursement of home health agency and home and
 4 community-based services waiver services providers
 5 and shall submit a recommendation for a rebasing
 6 methodology applicable to such providers to the
 7 individuals identified in this division of this Act for
 8 receipt of reports by December 31, 2012.

9 REPORTS

10 Sec. 36. 2011 Iowa Acts, chapter 129, section 143,
 11 is amended to read as follows:

12 SEC. 143. REPORTS. Any reports or other
 13 information required to be compiled and submitted
 14 under this Act shall be submitted to the chairpersons
 15 and ranking members of the joint appropriations
 16 subcommittee on health and human services, the
 17 legislative services agency, and the legislative caucus
 18 staffs on or before the dates specified for submission
 19 of the reports or information.

20 DIVISION V

21 HEALTH CARE ACCOUNTS AND FUNDS

22 PHARMACEUTICAL SETTLEMENT ACCOUNT

23 Sec. 37. 2011 Iowa Acts, chapter 129, section 145,
 24 is amended to read as follows:

25 SEC. 145. PHARMACEUTICAL SETTLEMENT ACCOUNT. There
 26 is appropriated from the pharmaceutical settlement
 27 account created in section 249A.33 to the department of
 28 human services for the fiscal year beginning July 1,
 29 2012, and ending June 30, 2013, the following amount,
 30 or so much thereof as is necessary, to be used for the
 31 purpose designated:

32 Notwithstanding any provision of law to the
 33 contrary, to supplement the appropriations made in this
 34 Act for medical contracts under the medical assistance
 35 program for the fiscal year beginning July 1, 2012, and
 36 ending June 30, 2013:

37 \$ 2,716,807

38 IOWACARE ACCOUNT APPROPRIATIONS ---- UNIVERSITY OF IOWA

39 HOSPITALS AND CLINICS

40 Sec. 38. 2011 Iowa Acts, chapter 129, section 146,
 41 subsection 1, is amended by adding the following new
 42 paragraph:

43 NEW PARAGRAPH. d. The university of Iowa hospitals
 44 and clinics shall utilize a portion of the funds
 45 appropriated in this subsection to pay for lodging
 46 expenses for expansion population members receiving
 47 cancer treatment over successive days. A member shall
 48 only be eligible for such payment if the member is
 49 otherwise unable to secure lodging at the university of
 50 Iowa hospitals and clinics campus or at any other local

1 facility offering free lodging for a member receiving
2 cancer treatment over successive days.

3 Sec. 39. 2011 Iowa Acts, chapter 129, section 146,
4 subsection 2, unnumbered paragraph 2, is amended to
5 read as follows:

6 For salaries, support, maintenance, equipment, and
7 miscellaneous purposes, for the provision of medical
8 and surgical treatment of indigent patients, for
9 provision of services to members of the expansion
10 population pursuant to chapter 249J, and for medical
11 education:

12 \$ ~~44,226,279~~
13 45,654,133

14 IOWACARE ACCOUNT ---- PUBLICLY OWNED ACUTE CARE TEACHING
15 HOSPITAL

16 Sec. 40. 2011 Iowa Acts, chapter 129, section 146,
17 subsection 4, unnumbered paragraph 2, is amended to
18 read as follows:

19 For distribution to a publicly owned acute care
20 teaching hospital located in a county with a population
21 over 350,000 for the provision of medical and surgical
22 treatment of indigent patients, for provision of
23 services to members of the expansion population
24 pursuant to chapter 249J, and for medical education:

25 \$ ~~65,000,000~~
26 70,000,000

27 IOWACARE ACCOUNT ---- PUBLICLY OWNED ACUTE CARE HOSPITAL
28 ALLOCATIONS

29 Sec. 41. 2011 Iowa Acts, chapter 129, section 146,
30 subsection 4, paragraphs a and b, are amended to read
31 as follows:

32 a. Notwithstanding any provision of law to the
33 contrary, the amount appropriated in this subsection
34 shall be distributed based on claims submitted,
35 adjudicated, and paid by the Iowa Medicaid enterprise
36 plus a monthly disproportionate share hospital payment.
37 Any amount appropriated in this subsection in excess
38 of ~~-\$60,000,000~~ \$65,000,000 shall be distributed
39 only if the sum of the expansion population claims
40 adjudicated and paid by the Iowa Medicaid enterprise
41 plus the estimated disproportionate share hospital
42 payments exceeds ~~-\$60,000,000~~ \$65,000,000. The amount
43 paid in excess of ~~-\$60,000,000~~ \$65,000,000 shall
44 not adjust the original monthly payment amount but
45 shall be distributed monthly based on actual claims
46 adjudicated and paid by the Iowa Medicaid enterprise
47 plus the estimated disproportionate share hospital
48 amount. Any amount appropriated in this subsection in
49 excess of ~~-\$60,000,000~~ \$65,000,000 shall be allocated
50 only if federal funds are available to match the

1 amount allocated. Pursuant to paragraph "b", of the
 2 amount appropriated in this subsection, not more than
 3 \$4,000,000 shall be distributed for prescription drugs,
 4 ~~and podiatry services, and optometric services.~~

5 b. Notwithstanding any provision of law to the
 6 contrary, the hospital identified in this subsection,
 7 shall be reimbursed for outpatient prescription drugs,
 8 ~~and podiatry services, and optometric services~~ provided
 9 to members of the expansion population pursuant to all
 10 applicable medical assistance program rules, in an
 11 amount not to exceed \$4,000,000.

12 IOWACARE ACCOUNT ---- REGIONAL PROVIDER NETWORK

13 Sec. 42. 2011 Iowa Acts, chapter 129, section 146,
 14 subsection 5, unnumbered paragraph 2, is amended to
 15 read as follows:

16 For payment to the regional provider network
 17 specified by the department pursuant to section 249J.7
 18 for provision of covered services to members of the
 19 expansion population pursuant to chapter 249J:

20	\$	3,472,176
21		<u>4,986,366</u>

22 ACCOUNT FOR HEALTH CARE TRANSFORMATION

23 Sec. 43. 2011 Iowa Acts, chapter 129, section 148,
 24 is amended to read as follows:

25 SEC. 148. APPROPRIATIONS FROM ACCOUNT FOR HEALTH
 26 CARE TRANSFORMATION ---- DEPARTMENT OF HUMAN SERVICES.

27 Notwithstanding any provision to the contrary,
 28 there is appropriated from the account for health
 29 care transformation created in section 249J.23 to
 30 the department of human services for the fiscal year
 31 beginning July 1, 2012, and ending June 30, 2013, the
 32 following amounts, or so much thereof as is necessary,
 33 to be used for the purposes designated:

34 1. For the provision of an IowaCare nurse helpline
 35 for the expansion population as provided in section
 36 249J.6:

37	\$	50,000
38		<u>100,000</u>

39 2. For other health promotion partnership
 40 activities pursuant to section 249J.14:

41	\$	300,000
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42 3. For the costs related to audits, performance
 43 evaluations, and studies required pursuant to chapter
 44 249J:

45	\$	62,500
46		<u>125,000</u>

47 4. For administrative costs associated with chapter
 48 249J:

49	\$	566,206
50		<u>1,132,412</u>

1 5. For planning and development, in cooperation
2 with the department of public health, of a phased-in
3 program to provide a dental home for children in
4 accordance with section 249J.14:
5 \$ ~~500,000~~
6 1,000,000

7 6. For continuation of the establishment of the
8 tuition assistance for individuals serving individuals
9 with disabilities pilot program, as enacted in 2008
10 Iowa Acts, chapter 1187, section 130:
11 \$ ~~25,000~~
12 50,000

13 7. For medical contracts:
14 \$ ~~1,000,000~~
15 2,400,000

16 8. For payment to the publicly owned acute care
17 teaching hospital located in a county with a population
18 of over 350,000 that is a participating provider
19 pursuant to chapter 249J:
20 \$ ~~145,000~~
21 540,000

22 Disbursements under this subsection shall be made
23 monthly. The hospital shall submit a report following
24 the close of the fiscal year regarding use of the
25 funds appropriated in this subsection to the persons
26 specified in this Act to receive reports.

27 9. For transfer to the department of public health
28 to be used for the costs of medical home system
29 advisory council established pursuant to section
30 135.159:
31 \$ ~~116,679~~
32 233,357

33 10. For continued implementation of a uniform cost
34 report:
35 \$ ~~75,000~~
36 150,000

37 11. For continued implementation of an electronic
38 medical records system:
39 \$ ~~50,000~~
40 100,000

41 Notwithstanding section 8.33, funds allocated in
42 this subsection that remain unencumbered or unobligated
43 at the close of the fiscal year shall not revert but
44 shall remain available in succeeding fiscal years to be
45 used for the purposes designated.

46 12. For transfer to the department of public health
47 to support the department's activities relating to
48 health and long-term care access as specified pursuant
49 to chapter 135, division XXIV:
50 \$ ~~67,107~~

1		134,214
2	13. For continuation of an accountable care	
3	organization pilot project:	
4	..... \$	50,000
5		100,000
6	15. For transfer to the department of public health	
7	to be used as state matching funds for the health	
8	information technology system <u>network</u> developed by the	
9	department of public health:	
10	..... \$	181,993
11		363,987
12	16. To supplement the appropriation for medical	
13	assistance:	
14	..... \$	1,956,245 4,106,245
15	17. For transfer to the department of public health	
16	to be used for the mental health and disabilities	
17	services workforce development workgroup, if created by	
18	the Eighty-fourth General Assembly, 2012 Session:	
19	..... \$	25,000
20	Notwithstanding section 8.39, subsection 1, without	
21	the prior written consent and approval of the governor	
22	and the director of the department of management, the	
23	director of human services may transfer funds among	
24	the appropriations made in this section as necessary	
25	to carry out the purposes of the account for health	
26	care transformation. The department shall report	
27	any transfers made pursuant to this section to the	
28	legislative services agency.	
29	QUALITY ASSURANCE TRUST FUND	
30	Sec. 44. 2011 Iowa Acts, chapter 129, section 151,	
31	is amended to read as follows:	
32	SEC. 151. QUALITY ASSURANCE TRUST FUND ----	
33	DEPARTMENT OF HUMAN SERVICES. Notwithstanding	
34	any provision to the contrary and subject to the	
35	availability of funds, there is appropriated from the	
36	quality assurance trust fund created in section 249L.4	
37	to the department of human services for the fiscal year	
38	beginning July 1, 2012, and ending June 30, 2013, the	
39	following amounts, or so much thereof as is necessary	
40	for the purposes designated:	
41	To supplement the appropriation made in this Act	
42	from the general fund of the state to the department of	
43	human services for medical assistance:	
44	..... \$	29,000,000
45		26,500,000
46	HOSPITAL HEALTH CARE ACCESS TRUST FUND	
47	Sec. 45. 2011 Iowa Acts, chapter 129, section 152,	
48	is amended to read as follows:	
49	SEC. 152. HOSPITAL HEALTH CARE ACCESS TRUST FUND	
50	---- DEPARTMENT OF HUMAN SERVICES. Notwithstanding	

1 any provision to the contrary and subject to the
 2 availability of funds, there is appropriated from
 3 the hospital health care access trust fund created in
 4 section 249M.4 to the department of human services for
 5 the fiscal year beginning July 1, 2012, and ending June
 6 30, 2013, the following amounts, or so much thereof as
 7 is necessary, for the purposes designated:

8 1. To supplement the appropriation made in this Act
 9 from the general fund of the state to the department of
 10 human services for medical assistance:

11 \$ ~~39,223,800~~
 12 33,898,400

13 2. For deposit in the nonparticipating provider
 14 reimbursement fund created in section 249J.24A to be
 15 used for the purposes of the fund:

16 \$ ~~776,200~~
 17 801,600

MISCELLANEOUS PROVISIONS

18
 19 Sec. 46. REPEAL. 2011 Iowa Acts, chapter 129,
 20 sections 149 and 150, are repealed.

DIVISION VI

21
 22 CHILDREN'S HEALTH INSURANCE PROGRAM ---- CHILD ENROLLMENT
 23 CONTINGENCY FUND

24 Sec. 47. CHILDREN'S HEALTH INSURANCE PROGRAM ----
 25 CHILD ENROLLMENT CONTINGENCY FUND ---- DIRECTIVES FOR USE
 26 OF FUNDS ---- FY 2011-2012.

27 1. Moneys received from the federal government
 28 through the child enrollment contingency fund
 29 established pursuant to section 103 of the federal
 30 Children's Health Insurance Program Reauthorization
 31 Act of 2009, Pub. L. No. 111-3, are appropriated to
 32 the department of human services for the fiscal year
 33 beginning July 1, 2011, and ending June 30, 2012, to be
 34 used in addition to any other amounts appropriated for
 35 the same purposes for the fiscal year as follows:

36 a. For adoption subsidy payments and services:
 37 \$ 2,177,355

38 b. For child care programs:
 39 \$ 1,212,432

40 c. For transfer to the department of public health
 41 to be used for tobacco use prevention, cessation, and
 42 treatment through support of Quitline Iowa:
 43 \$ 200,000

44 2. Notwithstanding section 8.39, and to the extent
 45 that funds appropriated in this section are unexpended
 46 or unobligated for the purposes specified in subsection
 47 1, the department of human services may transfer funds
 48 within or between any of the appropriations made in
 49 this section for the following purposes:

50 a. For adoption subsidy payments and services.

1 b. For child care assistance.

2 Sec. 48. CHILDREN'S HEALTH INSURANCE PROGRAM ----
 3 CHILD ENROLLMENT CONTINGENCY FUND ---- DIRECTIVES FOR
 4 USE OF FUNDS ---- FY 2012-2013. Moneys received from
 5 the federal government through the child enrollment
 6 contingency fund established pursuant to section 103
 7 of the federal Children's Health Insurance Program
 8 Reauthorization Act of 2009, Pub. L. No. 111-3, are
 9 appropriated to the department of human services for
 10 the fiscal year beginning July 1, 2012, and ending June
 11 30, 2013, to be used in addition to any other amounts
 12 appropriated for the same purposes for the fiscal year
 13 as follows:

14 1. For mental health and disability services
 15 redesign technical assistance services:
 16 \$ 500,000
 17 2. For the field operations integrity claims unit:
 18 \$ 961,100
 19 3. For the child welfare resources fund created
 20 pursuant to this subsection:
 21 \$ 1,000,000

22 A child welfare resources fund is created under
 23 the control of the department of human services.
 24 Notwithstanding section 8.33, moneys credited to
 25 the fund shall not revert to any other fund and are
 26 appropriated to the department to be used as provided
 27 in this subsection. The department shall distribute
 28 the moneys credited to the fund as grants to child
 29 welfare service providers to support infrastructure
 30 projects, supplies, equipment, renovations, and other
 31 one-time expenses in connection with publicly funded
 32 child welfare services.

33 Sec. 49. EFFECTIVE DATE PROVISIONS. The section of
 34 this division of this Act appropriating moneys received
 35 through the federal Child Enrollment Contingency Fund
 36 for the fiscal year beginning July 1, 2011, and ending
 37 June 30, 2012, being deemed of immediate importance,
 38 take effect upon enactment.

39 Sec. 50. RETROACTIVE APPLICABILITY. The section of
 40 this division of this Act appropriating moneys received
 41 through the federal Child Enrollment Contingency Fund
 42 for the fiscal year beginning July 1, 2011, and ending
 43 June 30, 2012, applies retroactively to July 1, 2011.

44 DIVISION VII
 45 MENTAL HEALTH AND DISABILITY SERVICES MEDICAL
 46 ASSISTANCE PROGRAM ADDITIONAL FUNDING

47 Sec. 51. RISK POOL APPROPRIATION FOR MEDICAL
 48 ASSISTANCE PROGRAM. All moneys remaining in the risk
 49 pool of the property tax relief fund on June 30,
 50 2012, following the distributions made pursuant to

1 2012 Iowa Acts, Senate File 2071, are appropriated to
2 the department of human services for the fiscal year
3 beginning July 1, 2012, and ending June 30, 2013, to be
4 used for the purpose designated:

5 To be credited to the appropriation made for the
6 medical assistance program in 2011 Iowa Acts, chapter
7 129, section 122.

8 Sec. 52. MENTAL HEALTH AND DISABILITY SERVICES
9 REDESIGN.

10 There is appropriated from the general fund of the
11 state to the department of human services for the
12 fiscal year beginning July 1, 2012, and ending June 30,
13 2013, the following amount, or so much thereof as is
14 necessary, to be used for the purposes designated:

15 For the medical assistance program appropriation
16 for the fiscal year for the expense of replacing
17 the enhanced match rate provided through the federal
18 American Recovery and Reinvestment Act of 2009 and
19 for the reduction in the federal medical assistance
20 percentage associated with the mental health and
21 disabilities services for which the match has been paid
22 by counties:

23 \$ 41,736,918

24 DIVISION VIII

25 PRIOR APPROPRIATIONS AND RELATED CHANGES

26 INJURED VETERANS GRANT PROGRAM

27 Sec. 53. 2008 Iowa Acts, chapter 1187, section 69,
28 unnumbered paragraph 1, as amended by 2009 Iowa Acts,
29 chapter 182, section 83, 2010 Iowa Acts, chapter 1192,
30 section 56, and 2011 Iowa Acts, chapter 129, section
31 53, is amended to read as follows:

32 Notwithstanding section 8.33, moneys appropriated in
33 this subsection that remain unencumbered or unobligated
34 at the close of the fiscal year shall not revert but
35 shall remain available for expenditure for the purposes
36 designated until the close of the fiscal year beginning
37 July 1, ~~2011~~ 2012.

38 IOWA VETERANS HOME

39 Sec. 54. 2011 Iowa Acts, chapter 129, section 3,
40 subsection 2, is amended by adding the following new
41 paragraph:

42 NEW PARAGRAPH. d. The funds appropriated in this
43 subsection to the Iowa veterans home that remain
44 available for expenditure for the succeeding fiscal
45 year pursuant to section 35D.18, subsection 5, shall
46 be distributed to be used in the succeeding fiscal
47 year in accordance with this lettered paragraph. The
48 first \$500,000 shall remain available to be used for
49 the purposes of the Iowa veterans home. Any remaining
50 balance shall be credited to the appropriation in this

1 Act for the fiscal year beginning July 1, 2012, for
2 medical assistance.

3 FAMILY INVESTMENT PROGRAM ---- GENERAL FUND

4 Sec. 55. 2011 Iowa Acts, chapter 129, section 7, is
5 amended by adding the following new subsection:

6 NEW SUBSECTION. 5. Notwithstanding section
7 8.33, moneys appropriated in this section that remain
8 unencumbered or unobligated at the close of the fiscal
9 year shall not revert but shall remain available for
10 expenditure for the purposes designated until the close
11 of the succeeding fiscal year.

12 MEDICAL ASSISTANCE

13 Sec. 56. 2011 Iowa Acts, chapter 129, section 10,
14 subsection 20, paragraph d, is amended to read as
15 follows:

16 d. If the savings to the medical assistance
17 program exceed the cost, the department may transfer
18 any savings generated for the fiscal year due to
19 medical assistance program cost containment efforts
20 initiated pursuant to 2010 Iowa Acts, chapter 1031,
21 Executive Order No. 20, issued December 16, 2009, or
22 cost containment strategies initiated pursuant to this
23 subsection, to the ~~appropriation~~ appropriations made
24 in this division of this Act for medical contracts or
25 general administration to defray the increased contract
26 costs associated with implementing such efforts.

27 BEHAVIORAL HEALTH SERVICES ACCOUNT ---- MEDICAL
28 ASSISTANCE

29 Sec. 57. 2011 Iowa Acts, chapter 129, section 10,
30 is amended by adding the following new subsection:

31 NEW SUBSECTION. 26. Notwithstanding 2009 Iowa
32 Acts, chapter 182, section 9, subsection 16, paragraph
33 "b", as amended by 2010 Iowa Acts, chapter 1192,
34 section 63, as amended by 2011 Iowa Acts, chapter
35 129, section 54, funds in the account that remain
36 unencumbered or unobligated at the end of the fiscal
37 year beginning July 1, 2011, are appropriated to the
38 department of human services to be used for the medical
39 assistance program for the succeeding fiscal year.

40 STATE SUPPLEMENTARY ASSISTANCE

41 Sec. 58. 2011 Iowa Acts, chapter 129, section 11,
42 is amended by adding the following new subsection:

43 NEW SUBSECTION. 4. Notwithstanding section
44 8.33, moneys appropriated in this section that remain
45 unencumbered or unobligated at the close of the fiscal
46 year shall not revert but shall remain available for
47 expenditure for the purposes designated until the close
48 of the succeeding fiscal year.

49 FIELD OPERATIONS

50 Sec. 59. 2011 Iowa Acts, chapter 129, section

1 25, is amended by adding the following new unnumbered
2 paragraph:
3 NEW UNNUMBERED PARAGRAPH Notwithstanding section
4 8.33, moneys appropriated in this section that remain
5 unencumbered or unobligated at the close of the fiscal
6 year shall not revert but shall remain available for
7 expenditure for the purposes designated until the close
8 of the succeeding fiscal year.

9 CHILD PROTECTION SYSTEM IMPROVEMENTS

10 Sec. 60. 2011 Iowa Acts, chapter 129, section 26,
11 subsection 5, is amended to read as follows:

12 5. Of the funds appropriated in this section,
13 \$500,000 shall be used for implementation of child
14 protection system improvements addressed in 2011
15 Iowa Acts, [House File 562](#), as enacted chapter 28.
16 Notwithstanding section 8.33, moneys allocated in this
17 subsection that remain unencumbered or unobligated
18 at the close of the fiscal year shall not revert but
19 shall remain available for expenditure for the purposes
20 designated until the close of the succeeding fiscal
21 year.

22 GENERAL ADMINISTRATION

23 Sec. 61. 2011 Iowa Acts, chapter 129, section 26,
24 is amended by adding the following new subsection:

25 NEW SUBSECTION. 6. Notwithstanding section
26 8.33, moneys appropriated in this section that remain
27 unencumbered or unobligated at the close of the fiscal
28 year shall not revert but shall remain available for
29 expenditure for the purposes designated until the close
30 of the succeeding fiscal year.

31 IOWACARE DISTRIBUTIONS

32 Sec. 62. 2011 Iowa Acts, chapter 129, section
33 35, subsection 4, paragraph a, is amended to read as
34 follows:

35 a. Notwithstanding any provision of law to the
36 contrary, the amount appropriated in this subsection
37 shall be distributed based on claims submitted,
38 adjudicated, and paid by the Iowa Medicaid enterprise
39 plus a monthly disproportionate share hospital payment.
40 Any amount appropriated in this subsection in excess
41 of ~~-\$60,000,000~~ \$56,500,000 shall be distributed
42 only if the sum of the expansion population claims
43 adjudicated and paid by the Iowa Medicaid enterprise
44 plus the estimated disproportionate share hospital
45 payments exceeds ~~-\$60,000,000~~ \$56,500,000. The amount
46 paid in excess of ~~-\$60,000,000~~ \$56,500,000 shall
47 not adjust the original monthly payment amount but
48 shall be distributed monthly based on actual claims
49 adjudicated and paid by the Iowa Medicaid enterprise
50 plus the estimated disproportionate share hospital

1 amount. Any amount appropriated in this subsection in
2 excess of ~~-\$60,000,000~~ \$56,500,000 shall be allocated
3 only if federal funds are available to match the
4 amount allocated. Pursuant to paragraph "b", of the
5 amount appropriated in this subsection, not more than
6 \$4,000,000 shall be distributed for prescription drugs
7 and podiatry services.

8 Sec. 63. 2011 Iowa Acts, chapter 129, section 35,
9 subsection 4, paragraph d, subparagraph (2), is amended
10 to read as follows:

11 (2) Notwithstanding the amount collected and
12 distributed for deposit in the IowaCare account
13 pursuant to section 249J.24, subsection 4, paragraph
14 "a", subparagraph (2), the first \$19,000,000 in
15 collections pursuant to section 347.7 between January
16 1, 2012, and June 30, 2012, shall be distributed to
17 the treasurer of state for deposit in the IowaCare
18 account and collections during this time period in
19 excess of \$19,000,000 shall be distributed to the acute
20 care teaching hospital identified in this subsection.
21 ~~Of the collections in excess of the \$19,000,000~~
22 ~~received by the acute care teaching hospital under this~~
23 ~~subparagraph (2), \$2,000,000 shall be distributed by~~
24 ~~the acute care teaching hospital to the treasurer of~~
25 ~~state for deposit in the IowaCare account in the month~~
26 ~~of July 2012, following the January 1 through June 30,~~
27 ~~2012, period.~~

28 Sec. 64. IMMEDIATE EFFECTIVE DATE. This division
29 of this Act, being deemed of immediate importance,
30 takes effect upon enactment.

31 Sec. 65. RETROACTIVE APPLICABILITY. The
32 following sections of this division of this Act apply
33 retroactively to July 1, 2011:

34 1. The section relating to the transfer of funds
35 from costs savings under the medical assistance program
36 to appropriations for medical contracts or general
37 administration for the fiscal year beginning July 1,
38 2011, and ending June 30, 2012.

39 2. The section relating to the distribution of
40 IowaCare program funds.

41 DIVISION IX
42 MISCELLANEOUS

43 Sec. 66. Section 8A.512A, subsection 3, Code
44 Supplement 2011, is amended to read as follows:

45 3. a. For purposes of this section, "executive
46 branch employee" means an employee of the executive
47 branch as defined in section 7E.2, other than a
48 member or employee of the state board of regents and
49 institutions under the control of the state board of
50 regents.

1 b. For purposes of this section, "out-of-state
2 travel" does not include out-of-state travel incidental
3 to travel between a travel departure point in this
4 state and a travel destination point in the city of
5 Carter Lake.

6 Sec. 67. Section 97B.39, Code 2011, is amended to
7 read as follows:

8 97B.39 Rights not transferable or subject to legal
9 process ---- exceptions.

10 The right of any person to any future payment under
11 this chapter is not transferable or assignable, at
12 law or in equity, and the moneys paid or payable or
13 rights existing under this chapter are not subject to
14 execution, levy, attachment, garnishment, or other
15 legal process, or to the operation of any bankruptcy
16 or insolvency law except for the purposes of enforcing
17 child, spousal, or medical support obligations or
18 marital property orders, or for recovery of medical
19 assistance payments pursuant to section 249A.5.

20 For the purposes of enforcing child, spousal, or
21 medical support obligations, the garnishment or
22 attachment of or the execution against compensation
23 due a person under this chapter shall not exceed
24 the amount specified in 15 U.S.C. { 1673(b). The
25 system shall comply with the provisions of a marital
26 property order requiring the selection of a particular
27 benefit option, designated beneficiary, or contingent
28 annuitant if the selection is otherwise authorized
29 by this chapter and the member has not received
30 payment of the member's first retirement allowance.
31 However, a marital property order shall not require
32 the payment of benefits to an alternative payee prior
33 to the member's retirement, prior to the date the
34 member elects to receive a lump sum distribution of
35 accumulated contributions pursuant to section 97B.53,
36 or in an amount that exceeds the benefits the member
37 would otherwise be eligible to receive pursuant to this
38 chapter.

39 Sec. 68. Section 135.63, subsection 2, Code 2011,
40 is amended by adding the following new paragraph:

41 NEW PARAGRAPH. q. Any outpatient surgical facility
42 that meets all of the following conditions:

43 (1) Functions to provide treatment for a single
44 specialty condition, disease, or disorder.

45 (2) Is physically connected to or in the same
46 structure as the private practice office of any
47 physician participating as medical staff of the
48 outpatient surgical facility.

49 (3) Is restricted to use by any such participating
50 physician.

1 Sec. 69. Section 135H.10, subsection 3, Code 2011,
2 is amended by striking the subsection.

3 Sec. 70. Section 144D.4, as enacted by 2012 Iowa
4 Acts, [House File 2165](#), section 5, is amended by adding
5 the following new subsection:

6 NEW SUBSECTION. 10. A POST form executed between
7 July 1, 2008, and June 30, 2012, as part of the patient
8 autonomy in health care decisions pilot project created
9 pursuant to 2008 Iowa Acts, chapter 1188, section 36,
10 as amended by 2010 Iowa Acts, chapter 1192, section 58,
11 shall remain effective until revoked or until a new
12 POST form is executed pursuant to this chapter.

13 Sec. 71. Section 256B.9, subsection 7, Code 2011,
14 is amended to read as follows:

15 7. a. The costs of special education instructional
16 programs include the costs of purchase of
17 transportation equipment to meet the special needs of
18 children requiring special education with the approval
19 of the director of the department of education.

20 b. The department of education shall administer
21 the costs of special education instructional programs
22 when contracted with a private agency that provides
23 residential treatment services to include the costs
24 of general administration, health service, attendance
25 officers, plant operation, and plant maintenance,
26 regular and special instructional costs, overhead
27 costs, and the costs of purchase of equipment,
28 transportation, and insurance to meet the special needs
29 of children requiring special education.

30 c. The state board of education shall adopt rules
31 under chapter 17A ~~for the purchase of transportation~~
32 ~~equipment pursuant to administer this section.~~

33 Sec. 72. SPECIAL EDUCATION COSTS ---- LEGISLATIVE
34 STUDY. The legislative council is requested to
35 establish an interim study committee during the 2012
36 interim to examine the payment of special education
37 costs associated with student services provided in
38 residential treatment facilities and whether the
39 planning for and costs of such services would be
40 more appropriately administered by the department of
41 education or the department of human services.

42 Sec. 73. Section 225B.8, Code Supplement 2011, is
43 amended to read as follows:

44 225B.8 Repeal.

45 This chapter is repealed July 1, ~~2012~~ 2013.

46 Sec. 74. CIVIL MONETARY PENALTIES ---- NURSING
47 FACILITY TRAINING ---- SEXUAL OFFENDERS. Of the funds
48 received by the department of human services through
49 civil monetary penalties from nursing facilities,
50 during the fiscal year beginning July 1, 2012, and

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1 ending June 30, 2013, \$250,000 shall be used for
2 training of nursing facility staff relating to the
3 requirements of 2012 Iowa Acts, House File 2422, if
4 enacted.

5 Sec. 75. EFFECTIVE UPON ENACTMENT. The section
6 of this division of this Act amending section 256B.9,
7 being deemed of immediate importance, takes effect upon
8 enactment.

9 Sec. 76. RETROACTIVE APPLICABILITY. The section
10 of this division of this Act amending section 256B.9
11 applies retroactively to July 1, 2011.>

By HEATON of Henry

H-8464 FILED APRIL 18, 2012

SENATE FILE 2336

H-8466

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 37, line 25, by striking < \$520,150> and
5 inserting < \$1,020,150>

6 2. Page 37, line 28, by striking <To> and inserting
7 <a. To>

8 3. Page 37, line 31, by striking <a.> and inserting
9 ~~a.~~ (1)>

10 4. Page 37, line 34, by striking <b.> and inserting
11 ~~b.~~ (2)>

12 5. Page 37, line 37, by striking <c.> and inserting
13 ~~c.~~ (3)>

14 6. Page 37, line 40, by striking <d.> and inserting
15 ~~d.~~ (4)>

16 7. Page 37, line 43, by striking <e.> and inserting
17 ~~e.~~ (5)>

18 8. Page 37, after line 45 by inserting:

19 <b. To the judicial branch to support substance
20 abuse services provided to juveniles participating in
21 the juvenile drug court programs listed in paragraph
22 "a" and the juveniles' families:

23 \$ 500,000

24 The state court administrator shall allocate the
25 funding designated in this paragraph "b" among the
26 programs.>

27 9. By renumbering as necessary.

By HALL of Woodbury

H-8466 FILED APRIL 18, 2012

SENATE FILE 2336

H-8467

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 14, after line 46 by inserting:
5 <0d. Of the funds appropriated in this subsection,
6 not more than \$1,000 may be allocated to the university
7 of Iowa, which in consultation with the department
8 of public health, shall review and report to the
9 governor and the general assembly no later than
10 November 1, 2012, on the feasibility of manufacturing
11 essential generic pharmaceuticals at the United States
12 food and drug administration-approved manufacturing
13 facility located at the university, if one or more
14 pharmaceuticals are found to be periodically or
15 consistently unavailable to health care providers in
16 the state for prescription or direct administration,
17 thereby endangering public health or patient safety.
18 The report shall include recommendations regarding
19 any policies, legislation, or resources necessary to
20 permit such manufacturing if the review finds such
21 manufacturing to be necessary and feasible.>
22 2. By renumbering as necessary.

By ISENHART of Dubuque

H-8467 FILED APRIL 18, 2012

SENATE FILE 2336

H-8468

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 10, line 49, by striking <3,788,859> and
5 inserting <3,848,859>
6 2. Page 12, line 19, by striking <124,050> and
7 inserting <184,050>

By ABDUL-SAMAD of Polk

H-8468 FILED APRIL 18, 2012

SENATE FILE 2336

H-8469

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 15, after line 33 by inserting:
5 <Sec. _____. 2011 Iowa Acts, chapter 129, section
6 114, is amended by adding the following new subsection:
7 NEW SUBSECTION. 10. VISION SCREENING. For
8 continuation of a grant to a nationally affiliated
9 volunteer eye organization that has an established
10 program for children and adults and that is solely
11 dedicated to preserving sight and preventing blindness
12 through education, nationally certified vision
13 screening and training, and community and patient
14 service programs:
15 \$ 100,000>
16 2. By renumbering as necessary.

By HUNTER of Polk

H-8469 FILED APRIL 18, 2012

SENATE FILE 2336

H-8470

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 10, line 49, by striking <3,788,859> and
5 inserting <3,979,048>
6 2. Page 12, line 1, by striking <70,000> and
7 inserting <132,580>
8 3. Page 12, after line 7 by inserting:
9 < (1A) For distribution to the Iowa family planning
10 network agencies for necessary infrastructure,
11 statewide coordination, provider recruitment, service
12 delivery, and provision of assistance to patients in
13 determining an appropriate medical home:
14 \$ 77,609>
15 4. Page 12, line 31, by striking <260,000> and
16 inserting <310,000>

By PETERSEN of Polk

H-8470 FILED APRIL 18, 2012

SENATE FILE 2336

H-8471

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 60, after line 45 by inserting:

5 <Sec. _____. Section 237A.13, subsection 7,
6 paragraphs a and c, Code 2011, are amended to read as
7 follows:

8 a. Families with an income at or below one hundred
9 percent of the federal poverty level whose members ~~are~~
10 ~~employed, for at least twenty-eight hours per week in~~
11 the aggregate, are employed or are participating at a
12 satisfactory level in an approved training program or
13 educational program, and parents with a family income
14 at or below one hundred percent of the federal poverty
15 level who are under the age of twenty-one years and are
16 participating in an educational program leading to a
17 high school diploma or the equivalent.

18 c. Families with an income of more than one hundred
19 percent but not more than one hundred forty-five
20 percent of the federal poverty level whose members ~~are~~
21 ~~employed, for at least twenty-eight hours per week in~~
22 the aggregate, are employed or are participating at a
23 satisfactory level in an approved training program or
24 educational program.>

25 2. By renumbering as necessary.

By PETERSEN of Polk

H-8471 FILED APRIL 18, 2012

SENATE FILE 2336

H-8472

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 24, before line 22 by inserting:

5 <7. The department of human services shall increase
6 by 10 percent the amounts in the schedule of basic
7 needs used to determine the cash assistance grants
8 provided to participants in the family investment
9 program. The resulting amounts shall be rounded to the
10 nearest whole dollar. The department shall implement
11 the increase commencing with the fiscal year beginning
12 July 1, 2013.>

13 2. By renumbering as necessary.

By BERRY of Black Hawk

H-8472 FILED APRIL 18, 2012

SENATE FILE 2336

H-8473

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 9, line 34, by striking <3,424,366> and
5 inserting <3,524,366>

6 2. Page 10, before line 44 by inserting:

7 <_____. Of the funds appropriated in this subsection,
8 \$100,000 shall be used for the purposes of the
9 continuation of the epilepsy treatment and education
10 task force as specified in 2011 Iowa Acts, chapter 60.>
11

3. By renumbering as necessary.

By KRESSIG of Black Hawk

H-8473 FILED APRIL 18, 2012

SENATE FILE 2336

H-8474

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 15, before line 6 by inserting:

5 <f. (1) Of the funds appropriated in this
6 subsection, not more than \$10,000 shall be used
7 for purposes of establishing, in coordination with
8 relevant stakeholders, a plan and timetable to allow
9 manufacturers and wholesalers to voluntarily cease
10 manufacturing, selling, or distributing in this state
11 any infant pacifier or reusable beverage container
12 containing bisphenol A.

13 (2) At a minimum, the plan shall ensure that a
14 manufacturer or wholesaler who sells or offers for sale
15 in this state a reusable beverage container that is
16 intended for retail sale shall conspicuously label the
17 container as not including bisphenol A and provide the
18 retailer with affirmation that the container does not
19 contain bisphenol A.

20 (3) A voluntary agreement to cease manufacturing
21 infant pacifiers or reusable beverage containers shall,
22 at a minimum, do all of the following:

23 (a) Require a manufacturer to use the least toxic
24 alternative to bisphenol A.

25 (b) Prohibit a manufacturer from replacing
26 bisphenol A with a substance rated by the United States
27 environmental protection agency as a class A, B, or
28 C carcinogen or a substance listed on the agency's
29 list of chemicals evaluated for carcinogenic potential
30 as known or likely carcinogens, known to be human
31 carcinogens, or likely to be human carcinogens.

32 (c) Prohibit a manufacturer from replacing
33 bisphenol A with a reproductive toxicant that has
34 been identified by the United States environmental
35 protection agency as causing birth defects,
36 reproductive harm, or developmental harm.

37 (4) If the department has not established a plan
38 and a timetable by January 1, 2013, the department
39 shall propose legislation to the 85th general assembly
40 that prohibits products containing bisphenol A from
41 being manufactured, sold, or distributed in this state,
42 with terms not less restrictive than the terms proposed
43 for a voluntary agreement. Such legislation shall
44 provide for the prohibition of products containing
45 bisphenol A by January 1, 2014.>

46 2. By renumbering as necessary.

By ISENHART of Dubuque
KAJTAZOVIC of Black Hawk

H-8474 FILED APRIL 18, 2012

SENATE FILE 2336

H-8475

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 16, after line 2 by inserting:

5 <The executive council shall consult with
6 knowledgeable persons in reviewing the return on
7 investment of the moneys in the veterans trust fund
8 and shall submit findings and recommendations for
9 improving the return to the individuals specified in
10 this division of this Act for submission of reports by
11 December 17, 2012.>

By CHAMBERS of O'Brien

H-8475 FILED APRIL 18, 2012

SENATE FILE 2336

H-8476

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 45, line 14, by striking <15,096,744> and
5 inserting <16,091,841>

6 2. Page 45, after line 42 by inserting:

7 <7. Notwithstanding section 8.33, moneys
8 appropriated in this section that remain unencumbered
9 or unobligated at the close of the fiscal year shall
10 not revert but shall remain available for expenditure
11 for the purposes designated until the close of the
12 succeeding fiscal year.>

By HEDDENS of Story

H-8476 FILED APRIL 18, 2012

SENATE FILE 2336

H-8477

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 10, line 49, by striking <3,788,859> and
5 inserting <4,188,539>

6 2. Page 12, line 1, by striking <70,000> and
7 inserting <132,580>

8 3. Page 12, by striking lines 41 through 49 and
9 inserting:

10 <h. (1) Of the funds appropriated in this
11 subsection, ~~-\$74,500~~ \$149,000 shall be used for
12 continued implementation of the recommendations of the
13 direct care worker task force established pursuant
14 tot 2005 Iowa Acts, chapter 88, based upon the report
15 submitted to the governor and the general assembly in
16 December 2006. The department may use a portion of
17 the funds allocated in this lettered paragraph for
18 an additional position to assist in the continued
19 implementation.>

20 4. By striking page 12, line 50, through page 13,
21 line 8, and inserting:

22 <i. (1) Of the funds appropriated in this
23 subsection, ~~-\$65,050~~ \$130,100 shall be used for
24 allocation to an independent statewide direct care
25 worker association under a contract with terms
26 determined by the director of public health relating
27 to education, outreach, leadership development,
28 mentoring, and other initiatives intended to enhance
29 the recruitment and retention of direct care workers in
30 health care and long-term care settings.>

31 5. Page 13, by striking lines 9 through 13 and
32 inserting:

33 <(2) Of the funds appropriated in this subsection,
34 ~~-\$29,000~~ \$58,000 shall be used to provide scholarships
35 or other forms of subsidization for direct care
36 worker educational conferences, training, or outreach
37 activities.>

38 6. By renumbering as necessary.

By HEDDENS of Story

H-8477 FILED APRIL 18, 2012

SENATE FILE 2336

H-8478

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 44, line 40, by striking <60,355,400> and
5 inserting <62,315,440>

By HEDDENS of Story

H-8478 FILED APRIL 18, 2012

SENATE FILE 2336

H-8479

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 25, line 34, by striking <950,526,658> and
5 inserting <953,637,419>

6 2. Page 48, after line 8 by inserting:

7 <ELDERLY WAIVER

8 Sec. _____. 2011 Iowa Acts, chapter 129, section 141,
9 is amended by adding the following new subsection:

10 NEW SUBSECTION. 10B. The department shall
11 increase the monthly reimbursement cap for the medical
12 assistance home and community-based services waiver for
13 the elderly to \$1,400 per month.>

14 3. By renumbering as necessary.

By HEDDENS of Story

H-8479 FILED APRIL 18, 2012

SENATE FILE 2336

H-8480

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. By striking page 53, line 21, through page 54,
5 line 32, and inserting:

6 <DIVISION VI

7 CHILDREN'S HEALTH INSURANCE PROGRAM ---- CHILD ENROLLMENT
8 CONTINGENCY FUND

9 Sec. 50. CHILDREN'S HEALTH INSURANCE PROGRAM ----
10 CHILD ENROLLMENT CONTINGENCY FUND ---- DIRECTIVES FOR USE
11 OF FUNDS ---- FY 2011-2012.

12 1. Moneys received from the federal government
13 through the child enrollment contingency fund
14 established pursuant to section 103 of the federal
15 Children's Health Insurance Program Reauthorization
16 Act of 2009, Pub. L. No. 111-3, are appropriated to
17 the department of human services for the fiscal year
18 beginning July 1, 2011, and ending June 30, 2012, to be
19 used in addition to any other amounts appropriated for
20 the same purposes for the fiscal year as follows:

21 a. For adoption subsidy payments and services:
22 \$ 2,177,355

23 b. For child care programs:
24 \$ 1,212,432

25 c. For transfer to the department of public health
26 to be used for tobacco use prevention, cessation, and
27 treatment through support of Quitline Iowa:
28 \$ 350,000

29 2. Notwithstanding section 8.39, and to the extent
30 that funds appropriated in this section are unexpended
31 or unobligated for the purposes specified in subsection
32 1, the department of human services may transfer funds
33 within or between any of the appropriations made in
34 this section for the following purposes:

35 a. For adoption subsidy payments and services.

36 b. For child care assistance.

37 Sec. 51. CHILDREN'S HEALTH INSURANCE PROGRAM ----
38 CHILD ENROLLMENT CONTINGENCY FUND ---- DIRECTIVES FOR USE
39 OF FUNDS ---- FY 2012-2013.

40 1. a. Moneys received from the federal government
41 through the child enrollment contingency fund
42 established pursuant to section 103 of the federal
43 Children's Health Insurance Program Reauthorization
44 Act of 2009, Pub. L. No. 111-3, are appropriated to
45 the department of human services for the fiscal year
46 beginning July 1, 2012, and ending June 30, 2013, to be
47 used in addition to any other amounts appropriated for
48 the same purposes for the fiscal year as follows:

49 (1) For adoption subsidy payments and services:
50 \$ 5,290,441

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1 (2) For child care programs:
2 \$ 7,969,021
3 (3) For mental health and disability services
4 redesign technical assistance services:
5 \$ 500,000
6 (4) For the field operations integrity claims unit:
7 \$ 961,100
8 (5) For medical assistance program reimbursement
9 and associated costs:
10 \$ 4,950,428
11 (6) For lodging expenses associated with patient
12 care provided at the university of Iowa hospital and
13 clinics under chapter 249J:
14 \$ 200,000
15 The department of human services shall establish the
16 maximum number of overnight stays and the maximum rate
17 reimbursed for overnight lodging, which may be based on
18 the state employee rate established by the department
19 of administrative services. The funds allocated under
20 this subparagraph shall not be used as nonfederal share
21 matching funds.
22 (7) For ambulance services associated with patient
23 care provided under chapter 249J:
24 \$ 200,000
25 The department of human services shall establish
26 requirements for use of funds in this subparagraph for
27 ambulance services when no other third-party payment is
28 available. The funds allocated in this subparagraph
29 shall not be used as nonfederal share matching funds.
30 (8) For the public purpose of distribution to
31 a statewide nonprofit organization consisting of
32 low-income housing and homelessness service providers,
33 advocates, local governments, lending institutions,
34 and low-income and homeless individuals to be used to
35 empower low-income individuals and to increase their
36 access to affordable housing:
37 \$ 100,000
38 b. Notwithstanding section 8.39, and to the
39 extent that funds appropriated in this subsection are
40 unexpended or unobligated for the purposes specified
41 in paragraph "a", subparagraphs (1) and (2), for the
42 fiscal year beginning July 1, 2012, the department of
43 human services may transfer funds within or between any
44 of the appropriations made in this subsection for the
45 following purposes:
46 (1) For adoption subsidy payments and services.
47 (2) For child care assistance.
48 2. Moneys received from the federal government
49 through the child enrollment contingency fund
50 established pursuant to section 103 of the federal

1 Children's Health Insurance Program Reauthorization
2 Act of 2009, Pub. L. No. 111-3, are appropriated to
3 the department of human services for the fiscal year
4 beginning July 1, 2012, and ending June 30, 2013, to be
5 used for audit settlements:
6 \$ 2,405,936
7 Notwithstanding section 8.33, moneys appropriated in
8 this subsection that remain unencumbered or unobligated
9 at the close of the fiscal year shall not revert to any
10 other fund but shall remain available for expenditure
11 for the purposes designated until the close of the
12 succeeding fiscal year.>

By HEDDENS of Story

SENATE FILE 2336

H-8481

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 54, after line 32 by inserting:

5 <4. For transfer to the university of Iowa college
6 of dentistry for provision of primary dental services
7 to children:

8 \$ 80,000

9 State funds appropriated in this subsection shall be
10 matched on a dollar-for-dollar basis. The university
11 of Iowa college of dentistry shall coordinate efforts
12 with the department of public health, bureau of oral
13 health and delivery systems, to provide dental care to
14 underserved populations throughout the state.

15 5. For transfer to the department of public health
16 for the human papillomavirus vaccination public
17 awareness program in accordance with section 135.11,
18 subsection 31, as enacted in this Act:

19 \$ 50,000

20 The department of public health may seek private
21 sector moneys for the purpose of supporting the public
22 awareness program.

23 6. For distribution to a nonprofit, tax-exempt
24 association that receives donations under section 170
25 of the Internal Revenue Code and whose members include
26 Iowa food banks and their affiliates that together
27 serve all counties in the state, to be used to purchase
28 food for distribution to food-insecure Iowans:

29 \$ 500,000

30 In purchasing food under this subsection, a
31 preference shall be given to the purchase of food
32 produced, processed, or packaged within this state
33 whenever reasonably practicable.>

34 2. Page 59, after line 38 by inserting:

35 <Sec. _____. Section 135.11, Code Supplement 2011, is
36 amended by adding the following new subsection:

37 NEW SUBSECTION. 31. Administer a public awareness
38 program for human papillomavirus infection vaccination
39 by identifying medically accurate materials that
40 contain information regarding the risks associated with
41 the various forms of the infection in causing cervical
42 cancer, and any other diseases for which the department
43 may recommend immunization or immunization information,
44 and the availability, effectiveness, and potential
45 risks of those vaccines. The department shall make
46 the identified materials available on the department's
47 internet site, provide education and training to
48 health professionals and the general public regarding
49 the vaccines, and notify each school district in the
50 state of the availability of the information. For the

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Page 2

1 purposes of this subsection, "human papillomavirus"
2 means the group of viruses identified by the centers
3 for disease control and prevention of the United States
4 department of health and human services.>
5 3. By renumbering as necessary.

By HEDDENS of Story

H-8481 FILED APRIL 18, 2012

SENATE FILE 2336

H-8482

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 30, line 31, by striking <36,806,102> and
5 inserting <40,400,160>

By HEDDENS of Story

H-8482 FILED APRIL 18, 2012

SENATE FILE 2336

H-8483

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 59, by striking lines 39 through 50.

By MASCHER of Johnson	McCARTHY of Polk
ABDUL-SAMAD of Polk	H. MILLER of Webster
BERRY of Black Hawk	MUHLBAUER of Crawford
COHOON of Des Moines	MURPHY of Dubuque
GAINES of Polk	OLDSON of Polk
GASKILL of Wapello	R. OLSON of Polk
HALL of Woodbury	T. OLSON of Linn
HANSON of Jefferson	PETERSEN of Polk
HEDDENS of Story	RUNNING-MARQUARDT of Linn
HUNTER of Polk	M. SMITH of Marshall
ISENHART of Dubuque	STECKMAN of Cerro Gordo
JACOBY of Johnson	T. TAYLOR of Linn
KAJTAZOVIC of Black Hawk	THEDE of Scott
KEARNS of Lee	THOMAS of Clayton
KELLEY of Jasper	WESSEL-KROESCHELL of Story
KRESSIG of Black Hawk	WINCKLER of Scott
LENSING of Johnson	WITTNEBEN of Emmet
LYKAM of Scott	WOLFE of Clinton

H-8483 FILED APRIL 18, 2012

SENATE FILE 2336

H-8484

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 33, line 35, by striking <79,721,886> and
5 inserting <79,671,886>

By HEATON of Henry

H-8484 FILED APRIL 18, 2012

SENATE FILE 2336

H-8485

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 28, after line 42 by inserting:

5 <MEDICAL ASSISTANCE -- SAME DAY ENCOUNTERS
6 REIMBURSEMENT

7 Sec. _____. 2011 Iowa Acts, chapter 129, section 122,
8 is amended by adding the following new subsection:

9 NEW SUBSECTION. 31. The department of human
10 services shall provide for reimbursement of federally
11 qualified health centers for medical, behavioral, and
12 dental encounters occurring on the same day to support
13 the patient-centered medical home model.>

14 2. By renumbering as necessary.

By HEATON of Henry

H-8485 FILED APRIL 18, 2012

SENATE FILE 2336

H-8487

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 33, line 35, by striking <79,721,886> and
5 inserting <79,871,886>

6 2. Page 37, line 7, by striking <\$1,088,285> and
7 inserting <\$1,238,285>

8 3. Page 37, line 11, by striking <\$100,000> and
9 inserting <\$250,000>

By KRESSIG of Black Hawk
KAJTAZOVIC of Black Hawk
BERRY of Black Hawk

H-8487 FILED APRIL 18, 2012

SENATE FILE 2336

H-8488

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 9, line 34, by striking <3,424,366> and
5 inserting <3,924,366>

6 2. Page 10, after line 43 by inserting:

7 <j. Of the funds appropriated in this subsection,
8 \$500,000 shall be used for provision of early
9 prevention screening by pap smear and advanced
10 screening by colposcope for women with incomes below
11 250 percent of the federal poverty level, as defined
12 by the most recently revised poverty income guidelines
13 issued by the United States department of health and
14 human services, who are not covered by a third-party
15 payer health policy or contract that pays for such
16 procedures and related laboratory services. The
17 department shall distribute the amount allocated in
18 this lettered paragraph to providers on behalf of
19 eligible persons within the target population.>

20 3. Page 14, line 14, by striking <1,335,155> and
21 inserting <2,335,155>

22 4. Page 14, after line 15 by inserting:

23 <a. Of the funds appropriated in this subsection,
24 \$1,000,000 shall be used for provision of vaccinations
25 for human papillomavirus to persons age 19 through
26 26 with incomes below 300 percent of the federal
27 poverty level, as defined by the most recently revised
28 poverty income guidelines issued by the United States
29 department of health and human services, who are
30 not covered by a third-party payer health policy
31 or contract that pays for such vaccinations. The
32 department shall distribute the amount allocated in
33 this lettered paragraph to providers on behalf of
34 eligible persons within the target population.>

35 5. Page 14, line 16, by striking <The> and
36 inserting:

37 b. The>

38 6. By renumbering as necessary.

By HEDDENS of Story

H-8488 FILED APRIL 18, 2012

SENATE FILE 2336

H-8489

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 25, by striking lines 31 and 32 and
5 inserting ~~<law, and consistent with options under~~
6 ~~federal law and regulations:>~~

7 2. Page 25, after line 34 by inserting:

8 <Sec. _____. 2011 Iowa Acts, chapter 129, section
9 122, subsection 1, unnumbered paragraph 1, is amended
10 to read as follows:

11 Iowans support reducing the number of abortions
12 performed in our state. Funds appropriated in this
13 section shall not be used for abortions. For the
14 purposes of this section, "abortion" does not include
15 any of the following:

16 a. The treatment of a woman for a physical
17 disorder, physical injury, or physical illness,
18 including a life-endangering physical condition caused
19 by or arising from the pregnancy itself, that would,
20 as certified by a physician, place the woman in danger
21 of death.

22 b. The treatment of a woman for a spontaneous
23 abortion, commonly known as a miscarriage, when not all
24 of the products of conception are expelled.

25 1A. For an abortion covered under the program,
26 except in the case of a medical emergency, as defined
27 in section 135L.1, for any woman, the physician shall
28 certify both of the following:>

29 3. Page 48 after line 39 by inserting:

30 <Sec. _____. 2011 Iowa Acts, chapter 129, section
31 146, subsection 1, paragraph a, subparagraph (1), is
32 amended to read as follows:

33 (1) Funds appropriated in this subsection shall
34 not be used for abortions shall be used in a manner
35 consistent with options under federal Medicaid law
36 and regulation. For the purposes of this subsection,
37 "abortion" does not include any of the following:

38 (a) The treatment of a woman for a physical
39 disorder, physical injury, or physical illness,
40 including a life-endangering physical condition caused
41 by or arising from the pregnancy itself, that would,
42 as certified by a physician, place the woman in danger
43 of death.

44 (b) The treatment of a woman for a spontaneous
45 abortion, commonly known as a miscarriage, when not all
46 of the products of conception are expelled.>

47 4. Page 61 after line 11 by inserting:

48 <DIVISION ____

49 DISTRIBUTION OF FAMILY PLANNING FUNDS

50 Sec. _____. DISTRIBUTION OF FAMILY PLANNING FUNDS.

H-8489

1 1. As used in this section, unless the context
2 otherwise requires:

3 a. "Department" means department as defined in
4 section 7E.4.

5 b. "Federally qualified health center" means a
6 health care provider that is eligible for federal
7 funding under 42 U.S.C. { 1396d(1)(2)(B).

8 2. Notwithstanding any other law to the contrary,
9 any expenditure, award, or other distribution of state
10 or federal family planning funds shall be made to
11 eligible applicants in the following order of priority:

12 a. Public entities that provide family planning
13 services including state, county, or local community
14 health clinics and federally qualified health centers.

15 b. Nonpublic entities that, in addition to family
16 planning services, provide required primary health
17 services as described in 42 U.S.C. { 254b(b)(1)(A).

18 c. Nonpublic entities that provide family planning
19 services but do not provide required primary health
20 services as described in 42 U.S.C. { 254b(b)(1)(A).

21 3. A department shall ensure distribution of
22 federal family planning funds in a manner that does not
23 severely limit or eliminate access to family planning
24 services in any region of the state.

25 4. A department shall not distribute state or
26 federal family planning funds under this section to
27 any entity that performs abortions or that maintains
28 or operates a facility where abortions are performed.
29 For the purposes of this section, "abortion" does not
30 include any of the following:

31 a. The treatment of a woman for a physical
32 disorder, physical injury, or physical illness,
33 including a life-endangering physical condition caused
34 by or arising from the pregnancy itself, that would,
35 as certified by a physician, place the woman in danger
36 of death.

37 b. The treatment of a woman for a spontaneous
38 abortion, commonly known as a miscarriage, when not all
39 of the products of conception are expelled.

40 5. State or federal family planning funds
41 distributed in accordance with this section shall not
42 be used for direct or indirect costs, including but not
43 limited to administrative costs or expenses, overhead,
44 employee salaries, rent, and telephone and other
45 utilities, related to providing abortions as specified
46 in subsection 4.

47 6. Any department that distributes state or federal
48 family planning funds shall submit a report to the
49 governor and the general assembly, annually by December
50 31, listing any entities receiving family planning

1 funds as described in subsection 2, paragraph "c", and
2 the amount and type of funds received by such entities
3 during the preceding calendar year. The report shall
4 provide a detailed explanation of how the department
5 determined that distribution of family planning funds
6 to such an entity, instead of to an entity described
7 in subsection 2 paragraph "a" or "b", was necessary to
8 prevent severe limitation or elimination of access to
9 family planning services in the region of the state in
10 which the entity is located.>

11 5. By renumbering as necessary.

By SWEENEY of Hardin	BAUDLER of Adair
ROGERS of Black Hawk	ALONS of Sioux
DE BOEF of Keokuk	VANDER LINDEN of Mahaska
PETTENGILL of Benton	J. SMITH of Dickinson
TJEPKES of Webster	HEIN of Jones
LOFGREN of Muscatine	KOESTER of Polk
BRANDENBURG of Pottawattamie	SCHULTZ of Crawford
CHAMBERS of O'Brien	DEYOE of Story
HUSEMAN of Cherokee	HELLAND of Polk
HAGENOW of Polk	PEARSON of Polk
GRASSLEY of Butler	DRAKE of Cass
DOLECHECK of Ringgold	GARRETT of Warren
FRY of Clarke	FORRISTALL of Pottawattamie
HANUSA of Pottawattamie	L. MILLER of Scott
J. TAYLOR of Woodbury	RASMUSSEN of Buchanan
VAN ENGELENHOVEN of Marion	WATTS of Dallas
KLEIN of Washington	UPMEYER of Hancock
WORTHAN of Buena Vista	WINDSCHITL of Harrison
SODERBERG of Plymouth	JORGENSEN of Woodbury
RAECKER of Polk	ANDERSON of Page
HAGER of Allamakee	SHAW of Pocahontas
MASSIE of Warren	LUKAN of Dubuque
RAYHONS of Hancock	BYRNES of Mitchell

SENATE FILE 2336

H-8490

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 23, line 12, by striking <45,286,573> and
5 inserting <45,886,573>

6 2. Page 23, line 17, by striking <2,463,854> and
7 inserting <3,063,854>

By M. SMITH of Marshall

ABDUL-SAMAD of Polk

BERRY of Black Hawk

COHOON of Des Moines

GAINES of Polk

GASKILL of Wapello

HALL of Woodbury

HANSON of Jefferson

HEDDENS of Story

HUNTER of Polk

ISENHART of Dubuque

JACOBY of Johnson

KAJTAZOVIC of Black Hawk

KEARNS of Lee

KELLEY of Jasper

KRESSIG of Black Hawk

LENSING of Johnson

LYKAM of Scott

MASCHER of Johnson

H. MILLER of Webster

MUHLBAUER of Crawford

MURPHY of Dubuque

OLDSON of Polk

R. OLSON of Polk

T. OLSON of Linn

PETERSEN of Polk

RUNNING-MARQUARDT of Linn

STECKMAN of Cerro Gordo

SWAIM of Davis

T. TAYLOR of Linn

THEDE of Scott

THOMAS of Clayton

WESSEL-KROESCHELL of Story

WILLEMS of Linn

WINCKLER of Scott

WITTNEBEN of Emmet

WOLFE of Clinton

H-8490 FILED APRIL 18, 2012

SENATE FILE 2336

H-8491

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 60, after line 45 by inserting:

5 <Sec. _____. Section 231.41, Code 2011, is amended to
6 read as follows:

7 231.41 Purpose.

8 The purpose of this subchapter is to establish
9 the office of long-term care resident's advocate
10 ~~within~~ as an autonomous agency which is attached to
11 the department for organizational purposes only in
12 accordance with the requirements of the federal Act,
13 and to adopt the supporting federal regulations and
14 guidelines for its operation.

15 Sec. _____. Section 231.42, subsection 1, Code 2011,
16 is amended to read as follows:

17 1. Office established. The office of long-term
18 care resident's advocate is established ~~within~~ as an
19 autonomous agency which is attached to the department
20 for organizational purposes only, in accordance with
21 section 712 of the federal Act, as codified at 42
22 U.S.C. { 3058g. The office shall consist of the
23 state long-term care resident's advocate and any local
24 long-term care resident's advocates.>

25 2. By renumbering as necessary.

By GASKILL of Wapello

H-8491 FILED APRIL 18, 2012

SENATE FILE 2336

H-8492

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 25, line 34, by striking <950,526,658> and
5 inserting <950,826,658>

6 2. Page 28, after line 42 by inserting:

7 <MEDICAL ASSISTANCE -- DISPROPORTIONATE SHARE HOSPITALS

8 Sec. _____. 2011 Iowa Acts, chapter 129, section 122,
9 is amended by adding the following new subsection:

10 NEW SUBSECTION. 31. The amount appropriated in
11 this section includes \$300,000 which shall be used
12 to increase the amount budgeted for reimbursement of
13 disproportionate share hospitals.>

14 3. By renumbering as necessary.

By KEARNS of Lee

H-8492 FILED APRIL 18, 2012

SENATE FILE 2336

H-8493

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 59, by striking lines 41 through 50 and
5 inserting:

6 <NEW PARAGRAPH. q. Any outpatient surgical
7 facility that meets all of the following conditions:

8 (1) Functions to provide treatment exclusively for
9 ophthalmic conditions, diseases, or disorders.

10 (2) As of July 1, 2012, is physically connected to
11 or in the same structure as the private practice office
12 of any physician participating as medical staff of the
13 outpatient surgical facility.

14 (3) Is restricted to use by any such participating
15 physician.

16 (4) Is located in a city of greater than one
17 hundred twenty thousand but less than one hundred forty
18 thousand population.>

19 2. By renumbering as necessary.

By L. MILLER of Scott

H-8493 FILED APRIL 18, 2012

SENATE FILE 2336

H-8494

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 37, line 7, by striking < \$1,088,285> and
5 inserting < \$988,285>

6 2. Page 37, by striking lines 10 through 12 and
7 inserting <section 135.118.>

8 3. Page 37, before line 13 by inserting:

9 <12A. In addition to the amount appropriated in
10 this section, there is appropriated from the general
11 fund of the state to the department of human services
12 for the fiscal year beginning July 1, 2012, and
13 ending June 30, 2013, \$250,000 to be used for a child
14 protection center for the Black Hawk county area.>

15 4. By renumbering as necessary.

By KRESSIG of Black Hawk
KAJTAZOVIC of Black Hawk
BERRY of Black Hawk

H-8494 FILED APRIL 18, 2012

SENATE FILE 2336

H-8496

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 28, line 42, after <supports.> by inserting
5 <The department of human services, in cooperation with
6 the department on aging and the department of public
7 health, shall convene a stakeholder implementation
8 and evaluation advisory committee to ensure that
9 implementation timelines are established, goals are
10 met, performance is evaluated at regular intervals, and
11 implementation is accomplished in a coordinated and
12 integrated manner and without duplication. The state
13 implementation work plan developed by the advisory
14 committee and submitted by the department of human
15 services to the centers for Medicare and Medicaid
16 services of the United States department of health and
17 human services shall provide for sufficient resources
18 to develop the infrastructure necessary to meet the
19 structural changes requirements of the state balancing
20 incentive payments program.>

By M. SMITH of Marshall

H-8496 FILED APRIL 18, 2012

Fiscal Note

Fiscal Services Division



SF 2326 – Renewable Energy Tax Credits (LSB 5686SV.1)
Analyst: Jeff Robinson (Phone: 515-281-4614) (jeff.robinson@legis.state.ia.us)
Fiscal Note Version – As passed by the Senate

Description

Senate File 2326 as passed by the Senate relates to Iowa's wind energy production tax incentives. The Bill:

- Adds 15 megawatts per year to the 1.5 cent per kilowatt-hour tax credit under [Iowa Code chapter 476C](#) (Renewable Energy Tax Credit), beginning 2015 and ending 2019. This adds a total of 75 megawatts of eligible capacity to the wind portion of the chapter 476C tax credit program.
- Adds 5 megawatts per year to the 1.5 cent per kilowatt-hour tax credit for nonwind projects under Iowa Code chapter 476C, beginning 2015 and ending 2019. This adds a total of 25 megawatts of eligible capacity to the nonwind portion of the chapter 476C tax credit program.
- Extends the current June 30, 2012, deadline for facilities approved under Iowa Code chapter 476B to become operational. The deadline is extended one year to June 30, 2013. In addition, the Bill would allow an existing project to receive additional tax credits under specified circumstances.

The Bill is effective July 1, 2012.

Assumptions

Iowa Code chapter 476B Projects:

- To qualify for tax credits a project approved under Iowa Code chapter 476B must be operational before July 1, 2012. The maximum approved capacity of all projects under this chapter is 50.0 megawatts.
- According to the Iowa Utilities Division, of the existing 50.0 megawatt maximum for chapter 476B:
 - Two projects totaling 21.0 megawatts are operational.
 - One 24.5 megawatt project is approved but not yet operational.
 - 4.5 megawatts of capacity remain available.
 - Three projects, each proposed at 30.0 megawatts, are on an existing waiting list.
- For this estimate, it is assumed the 24.5 megawatt facility will become operational by the current law deadline.
- For this estimate, it is assumed the 4.5 megawatts of capacity that is currently unclaimed will be claimed by the first 30 megawatt project on the waiting list and that project is either currently operational or will become operational by the deadline.
- The new language added as Iowa Code section 476B.4(b) is not designed, and will not be interpreted, to allow capacity in excess of 50.0 megawatts under Iowa Code chapter 476B to be approved for tax credits.

Iowa Code chapter 476C Future Wind and Nonwind Projects:

- Sufficient demand will exist in calendar years 2015 through 2019 to fully utilize the 100 megawatts of new production authorized.
- The average capacity factor will equal 38.0% for wind projects and 80.0% for nonwind projects.
- Once earned, tax credits will be redeemed:
 - Initial year = 80.0%
 - Second year = 15.0%
 - Third year = 5.0%

Fiscal Impact – 476B Changes

The combination of assumptions for chapter 476B projects results in no fiscal impact due to the proposed law change. If assumptions concerning projects becoming operational before July 1, 2012, do not prove accurate, then the law change will have a fiscal impact, because tax credits will be earned and redeemed in future years that without the law change could not be earned and redeemed.

Fiscal Impact – 476C Changes

The 100 megawatts of Iowa Code chapter 476C wind and nonwind energy production capacity added beginning in calendar year 2015 will reduce net General Fund revenue when tax credits earned through those projects are redeemed. The following table provides the projected additional net General Fund revenue reduction associated with those 100 megawatts.

Est. General Fund Revenue Reductions Tax Credit Redemptions 100MW of New 476C Tax Credits Available CY 2015 to CY 2019 \$ in Millions			
FY 2017	\$ 0.0	FY 2026	\$ 6.4
FY 2018	1.0	FY 2027	6.4
FY 2019	2.2	FY 2028	5.4
FY 2020	3.5	FY 2029	4.1
FY 2021	4.8	FY 2030	2.9
FY 2022	6.1	FY 2031	1.6
FY 2023	6.3	FY 2032	0.3
FY 2024	6.4	FY 2033	0.1
FY 2025	6.4	FY 2034	0.0
Total Fiscal Impact = \$63.9 million			

Tax credits earned under Iowa Code chapter 476C are not refundable, so to the extent the credits are redeemed through individual income tax returns they will impact the calculation of the Local Option Income Surtax for Schools. The statewide average impact will be approximately 3.0% of the net General Fund impact, but only for those credits redeemed on individual income tax returns.

The Iowa Utilities Division has significant duties related to evaluating and approving projects eligible under Iowa Code chapter 476C. This Bill will expand and extend the workload of the Division staff. The Utilities Division estimates that an additional 0.5 FTE position will be necessary once the new projects begin to apply for the additional credits in CY 2015 and salaries, benefits, and support for the position will total approximately \$45,000 per year.

Sources

Legislative Services Agency Analysis
Iowa Utilities Division
Iowa Department of Revenue
Natural Resources Defense Council

/s/ Holly M. Lyons

April 18, 2012

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#). Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
